



CASE COVER SHEET

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

PLANNING & ZONING CASE NO.

PLANNING & ZONING FEE

PLATTING APPLICATION

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

SITE PLAN APPLICATION

- SITE PLAN
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

ZONING APPLICATION

- ZONING CHANGE
- SPECIFIC USE PERMIT
- PD DEVELOPMENT PLAN

OTHER APPLICATION

- TREE REMOVAL
- VARIANCE REQUEST/SPECIAL EXCEPTIONS

RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD

PLANNING AND ZONING COMMISSION

CITY COUNCIL READING #1

CITY COUNCIL READING #2

CONDITIONS OF APPROVAL

NOTES



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLAT G & ZONING CASE NO. 22023-005

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

Platting Application Fees:

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

Site Plan Application Fees:

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

Zoning Application Fees:

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

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address 548 Powell Road Rockwall Tx. 75032

Subdivision

Lot

Block

General Location

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning

AG

Current Use

Residential/Single Family/AG

Proposed Zoning

Single Family Estate 4

Proposed Use

Acreage

6

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

Peter & Janyce Gardner

Applicant

Contact Person

Contact Person

Address

548 Powell Rd.

Address

City, State & Zip

Rockwall Tx. 75032

City, State & Zip

Phone

469-269-0560, 214-709-1780

Phone

E-Mail

janycegardner@yahoo.com

E-Mail

NOTARY VERIFICATION [REQUIRED]

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

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 17th day of November, 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."

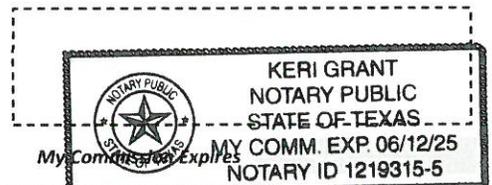
Given under my hand and seal of office on this the 17th day of November, 2022.

Owner's Signature

Peter Gardner & Janyce Gardner

Notary Public in and for the State of Texas

Keri Grant





DEVELOPMENT APPLICATION

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

STAFF USE ONLY

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Acreage

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Lots [Proposed]

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Contact Person

Contact Person

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Address

City, State & Zip

Rockwall Tx. 75032

City, State & Zip

Phone

469-269-0560, 214-709-1780

Phone

E-Mail

janycegardner@yahoo.com

E-Mail

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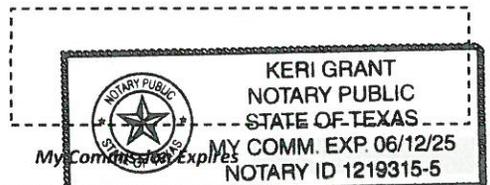
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Owner's Signature

Peter Gardner & Janyce Gardner

Notary Public in and for the State of Texas

Keri Grant



0 50 100 200 300 400 Feet

Z2023-005: Zoning Change from AG to SFE-2.0

PD-66

AG

DOWELL RD

442

494

548

598

648

Case Location Map = 



City of Rockwall

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

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

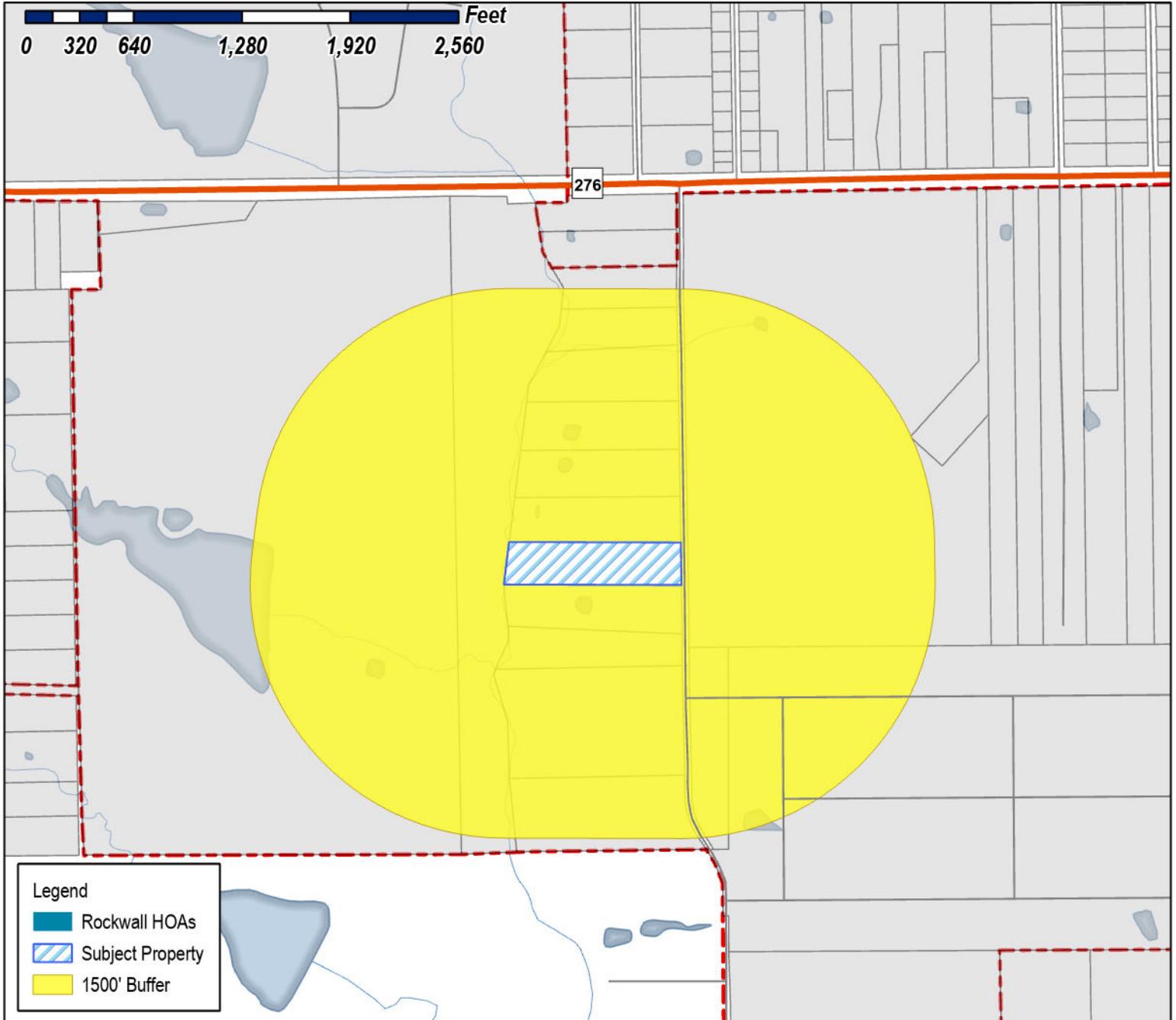




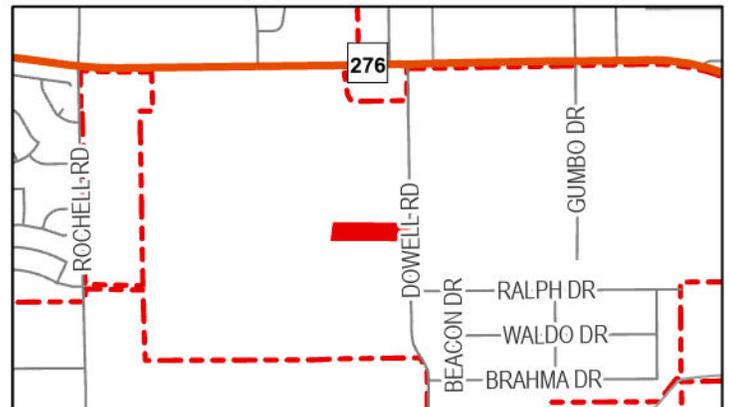
City of Rockwall

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Case Number: Z2023-005
Case Name: Zoning Change from AG to SFE-2.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 548 Dowell Road



Date Saved: 1/20/2023

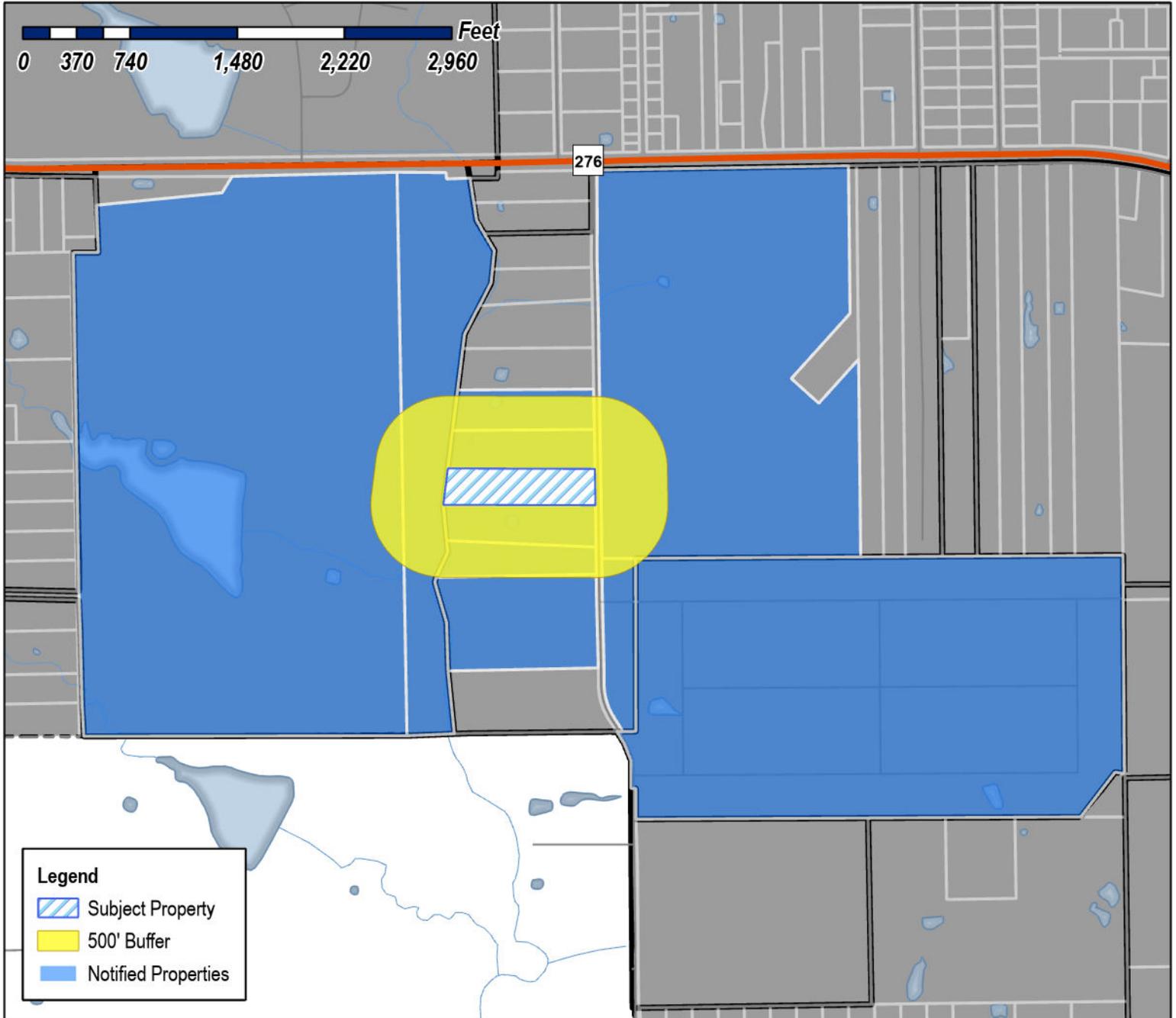
For Questions on this Case Call (972) 771-7745



City of Rockwall

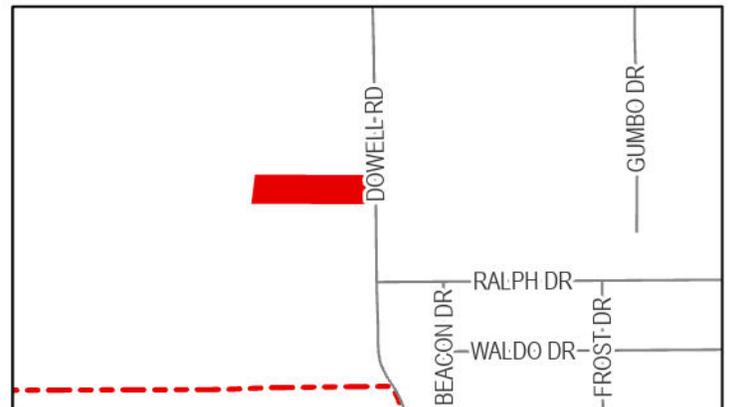
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Case Number: Z2023-005
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Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 548 Dowell Road

Date Saved: 1/20/2023
 For Questions on this Case Call (972) 771-7745



OCCUPANT
HWY276
ROCKWALL, TX 75032

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

TRENTACOSTA AARON L & NIKOLE L
648 DOWELL ROAD
ROCKWALL, TX 75032

SANTOYO AGUSTIN
2300 DOWELL RD
ROCKWALL, TX 75032

SPAFFORD SARAH
494 DOWELL RD
ROCKWALL, TX 75032

SMITH TERRANCE LYNDLE AND MISHAWN
WILSON-SMITH
442 DOWELL ROAD
ROCKWALL, TX 75032

OCCUPANT
548 DOWELL RD
ROCKWALL, TX 75032

MI CASA REAL LLC
2940 BROADWAY BLVD STE 102
GARLAND, TX 75041

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

MCINTIRE PRESTON G AND
SANDY M LOMELI
598 DOWELL RD
ROCKWALL, TX 75032

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

SUMEER HOMES INC
DOWELL RD
ROCKWALL, TX 75189

OCCUPANT
2404 TEXAS DR STE 103
IRVING, TX 75062

SORRELLS ROBERT
8731 REXFORD DR
DALLAS, TX 75209

PROJECT COMMENTS



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

DATE: 1/27/2023

PROJECT NUMBER: Z2023-005
PROJECT NAME: Zoning Change from AG to SFE-4
SITE ADDRESS/LOCATIONS: 548 DOWELL RD

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

CASE CAPTION: Hold a public hearing to discuss and consider a request by Peter and Janyce Gardner for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and take any action necessary.

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

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

I.1 This is a request for a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road.

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

M.3 For reference, include the case number (Z2023-005) in the lower right-hand corner of all pages on future submittals.

I.4 Staff should note that work, grading, structures, etc. is not allowed within the floodplain or erosion hazard setback.

M.5 Please provide a survey for the draft ordinance; a survey is required to show a legal depiction of the subject property.

M.6 Please review the attached draft ordinance prior to the January 31, 2023 Planning & Zoning Commission meeting, and provide staff with your markups by February 7, 2023.

I.7 Staff has identified the aforementioned items necessary to continue the submittal process. Please make these revisions and corrections, and provide any additional information that is requested. Revisions for this case will be due on February 7, 2023; however, it is encouraged for applicants to submit revisions as soon as possible to give staff ample time to review the case prior to the February 14, 2023 Planning and Zoning Commission Public Hearing Meeting. The Planning and Zoning Commission Work Session Meeting for this case will be held on January 31, 2023.

I.8 The projected City Council meeting dates for this case will be February 21, 2023 (1st Reading) and March 6, 2023 (2nd Reading).

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

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
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BUILDING	Craig Foshee	01/25/2023	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Henry Lee	01/27/2023	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	01/25/2023	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Henry Lee	01/27/2023	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	01/25/2023	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. 22023-005

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DIRECTOR OF PLANNING: _____

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- Variance Request (\$100.00)

Notes:

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PROPERTY INFORMATION [PLEASE PRINT]

Address 548 Powell Road Rockwall Tx. 75032

Subdivision _____

Lot _____

Block _____

General Location _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG

AG

Current Use Residential Single Family/AG

Residential Single Family/AG

Proposed Zoning Single Family Estate 4

Single Family Estate 4

Proposed Use _____

Acreage 6

6

Lots [Current] _____

Lots [Proposed] _____

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

Owner Peter & Janyce Gardner

Peter & Janyce Gardner

Applicant _____

Contact Person _____

Contact Person _____

Address 548 Powell Rd.

548 Powell Rd.

Address _____

City, State & Zip Rockwall Tx. 75032

Rockwall Tx. 75032

City, State & Zip _____

Phone 469-267-0500, 214-709-1780

469-267-0500, 214-709-1780

Phone _____

E-Mail janycegardner@yahoo.com

janycegardner@yahoo.com

E-Mail _____

NOTARY VERIFICATION [REQUIRED]

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

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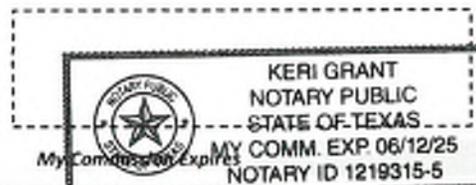
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Owner's Signature _____

Peter Gardner & Janyce Gardner

Notary Public in and for the State of Texas _____

Keri Grant



0 50 100 200 300 400 Feet

Z2023-005: Zoning Change from AG to SFE-2.0

PD-66

AG

30WEL1-RO

Case Location Map = 



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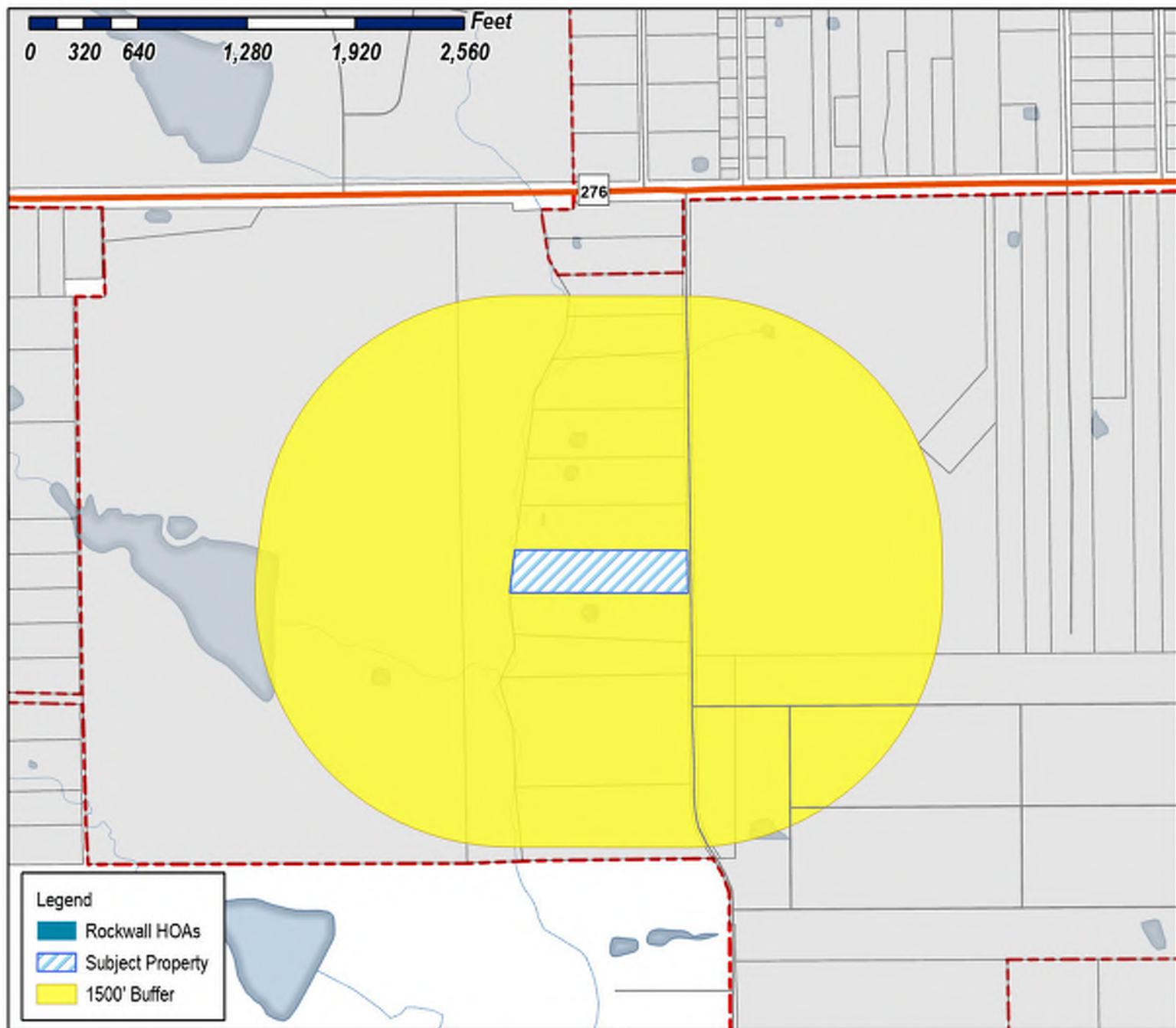




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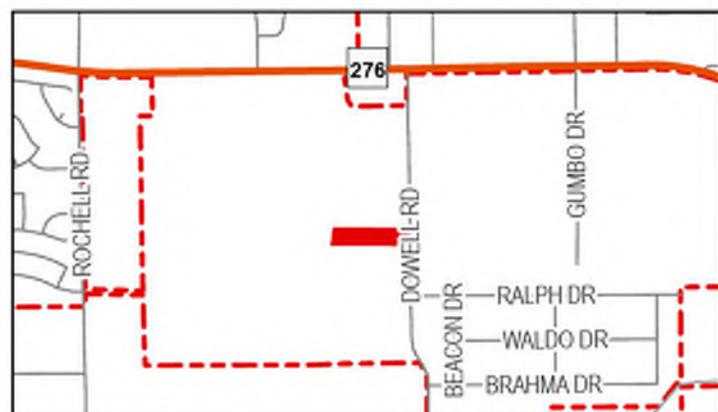
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Case Address: 548 Dowell Road

Date Saved: 1/20/2023

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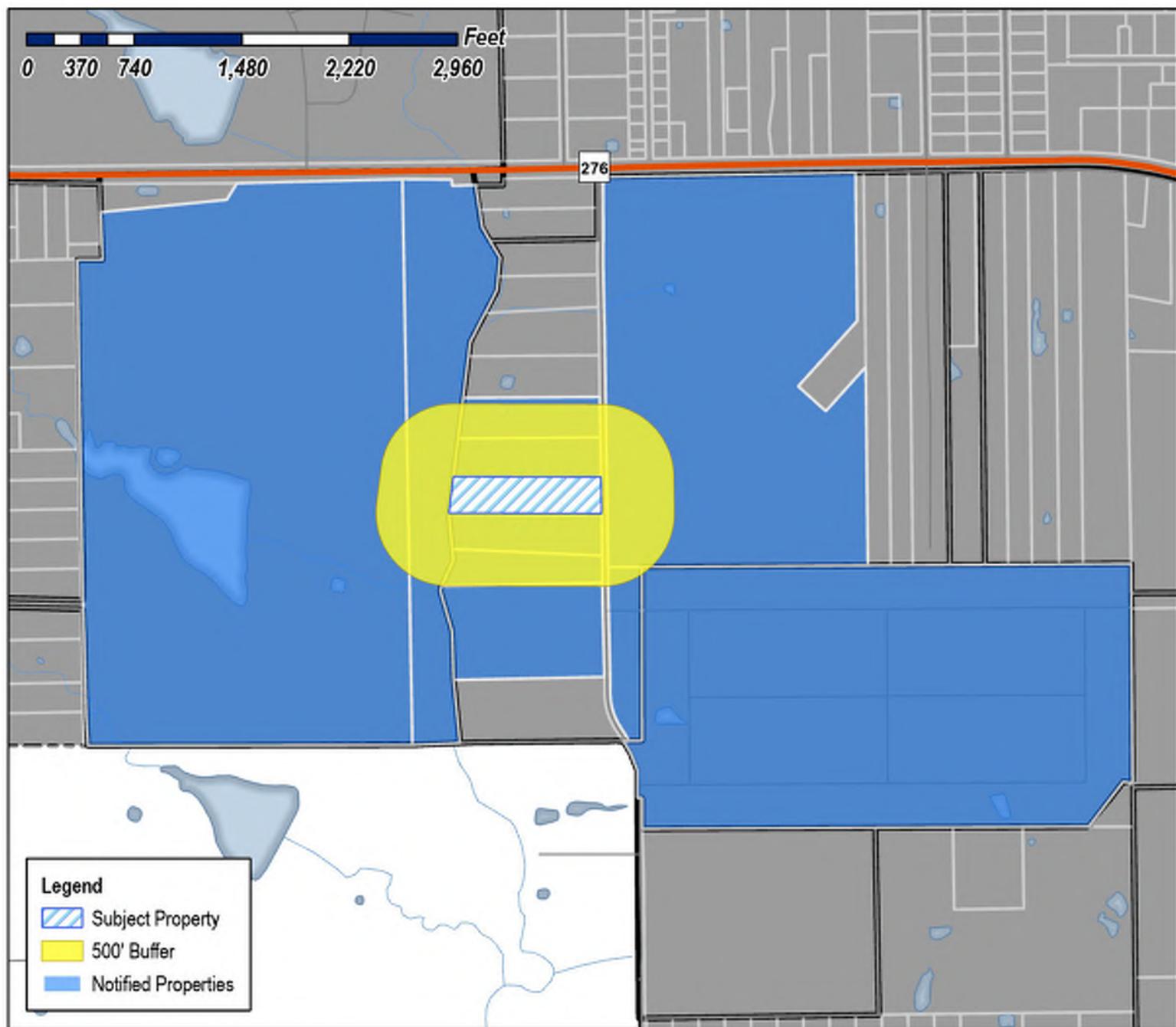




City of Rockwall

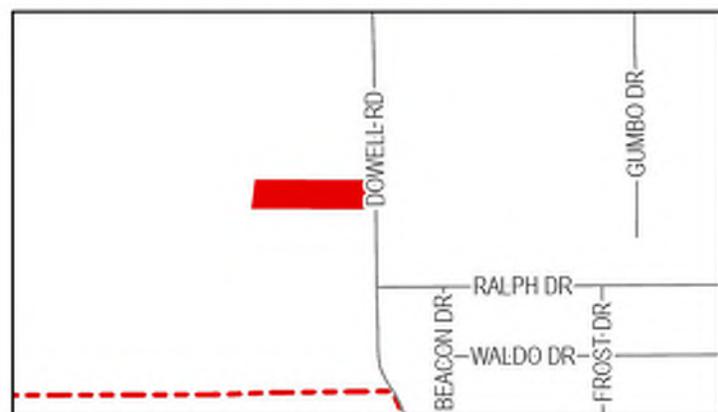
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IRVING, TX 75062

SORRELLS ROBERT
8731 REXFORD DR
DALLAS, TX 75209

PUBLIC NOTICE



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

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

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

Z2023-005: Zoning Change from AG to SFE-2.0

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Tuesday, February 21, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-005: Zoning Change from AG to SFE-2.0

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

LEGEND:

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

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

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

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
S	Land Use Permitted Specific Use Permit (SUP)
X	Land Use Prohibited by Overlay District
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PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

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

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 6.019-ACRE PARCEL OF LAND IDENTIFIED AS LOT 11 OF THE DOWELL ROAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN EXHIBIT 'A' AND EXHIBIT 'B' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Peter and Janyce Gardner for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

zoning described herein;

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

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

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

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

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

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A'
Legal Description

Addressed: 548 Dowell Road

Legal Description: Lot 11 of the Dowell Road Addition



SURVEY

DRAFT
ORDINANCE
01.31.2023



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

DATE: February 14, 2023

APPLICANT: Peter and Janyce Gardner

CASE NUMBER: Z2023-005; *Zoning Change from Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Peter and Janyce Gardner for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and take any action necessary.

BACKGROUND

On September 12, 1994 a final plat for the Dowell Road Addition was filed with Rockwall County. This established the subject property as Lot 11 of the Dowell Road Addition. On December 22, 2008, the City Council approved *Ordinance No. 08-65 [i.e. Case No. A2008-003]* annexing the subject property into the City of Rockwall. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1,838 SF home that was constructed in 1997, and a ~576 SF detached garage that was constructed in 2000.

PURPOSE

On January 20, 2023, the applicants -- *Peter and Janyce Gardner*-- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District. The purpose of this request is to facilitate the construction of a future accessory building on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 548 Dowell Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are six (6) parcels of land (*i.e. Lots 3, 4, 5R, 6R, 7R, & 8R of the Dowell Road Addition*) developed with single-family homes and zoned Agricultural (AG) District. Beyond this is the corporate limits for the City of Rockwall. Following this are two (2) parcels of land (*i.e. Lot 1 & 2 of the Dowell Road Addition*) that are located within Rockwall County and developed with single-family homes. North of these parcels is SH-276, which is classified as a TXDOT6D (*i.e. a Texas Department of Transportation, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is one (1) parcel of land (*i.e. Lot 12 of the Dowell Road Addition*) developed with a single-family home and zoned Agricultural (AG) District. Beyond this are three (3) tracts of land (*i.e. Tracts 1-2, 1-4, & 1-5, Abstract 182 of the J. H. Robnett Survey*) developed with single-family homes and zoned Agricultural (AG) District. Following this is the corporate limits for the City of Rockwall.

East: Directly east of the subject property is Dowell Road, which is classified as a M4U (*i.e. major collector, four [4] Lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040

Comprehensive Plan. Beyond this is a 106.4403-acre tract of land (i.e. *Tract 1, Abstract 34 of the J. H. Bailey Survey*) zoned Agricultural (AG) District.

West: Directly west of the subject property is a 32.102-acre tract of land (i.e. *Tract 1-1, Abstract 182 of the J. H. Robnett Survey*). Beyond this is a 194.9439-acre tract of land (i.e. *Tract 2-1, Abstract 182 of the J. H. Robnett Survey*). Both properties are zoned Planned Development District 66 (PD-66) for Single-Family 8.4 (SF-8.4) District land uses

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 6.019-acre parcel of land from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District. The applicant has indicated to staff that this request is being made to facilitate the future construction of an accessory building that will store animal feed and property maintenance equipment.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size ... (t)hese lots are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas." In this case, the properties adjacent to Dowell Road are zoned Agricultural (AG) District, and in the future they are anticipated to transition to being zoned under the Single-Family Estate (SFE) District zoning designation. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family Estate 2.0 (SFE-2.0) District, which are summarized as follows:

TABLE 1: SINGLE-FAMILY ESTATE 2 (SFE-2) DISTRICT DEVELOPMENT STANDARDS

NUMBER OF DWELLING UNITS/LOT	1.0
NUMBER OF DWELLING UNITS/ACRE	0.5
MINIMUM DWELLING UNIT	2,200 SF
MINIMUM LOT AREA	87,120 SF
MINIMUM LOT WIDTH	150-FEET
MINIMUM LOT DEPTH	250-FEET
MINIMUM FRONT YARD SETBACK	50-FEET
MINIMUM REAR YARD SETBACK	10-FEET
MINIMUM SIDE YARD SETBACK	25-FEET
BETWEEN BUILDINGS	10-FEET
BUILDING HEIGHT	36-FEET
MAXIMUM LOT COVERAGE	35%
REQUIRED PARKING SPACES	2

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

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

NOTIFICATIONS

On January 27, 2023, staff notified 14 property owners and occupants within 500-feet of the subject property. There were no Homeowner's Associations (HOAs) or Neighborhood Groups within 1,500-feet of the subject property participating in the

Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had not received any notices regarding the applicant's request.

CONDITIONS OF APPROVAL

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Zoning Change to rezone the subject property from an Agricultural (AG) District to a Single-Family Estate 2 (SFE-2) District, then staff would propose the following conditions of approval:

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



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22023-005

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

Platting Application Fees:

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

Site Plan Application Fees:

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

Zoning Application Fees:

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

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address 548 Powell Road Rockwall Tx. 75032

Subdivision _____

Lot _____

Block _____

General Location _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG

AG

Current Use Residential Single Family/AG

Residential Single Family/AG

Proposed Zoning Single Family Estate 4

Single Family Estate 4

Proposed Use _____

Acreage 6

6

Lots [Current] _____

Lots [Proposed] _____

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3162 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 Peter & Janyce Gardner

Peter & Janyce Gardner

Applicant _____

Contact Person _____

Contact Person _____

Address 548 Powell Rd.

548 Powell Rd.

Address _____

City, State & Zip Rockwall Tx. 75032

Rockwall Tx. 75032

City, State & Zip _____

Phone 469-267-0500, 214-709-1780

469-267-0500, 214-709-1780

Phone _____

E-Mail janycegardner@yahoo.com

janycegardner@yahoo.com

E-Mail _____

NOTARY VERIFICATION [REQUIRED]

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

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 17th day of November, 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."

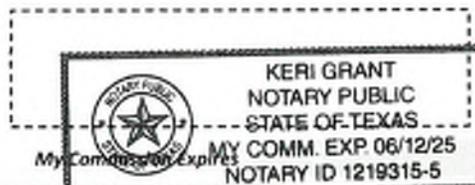
Given under my hand and seal of office on this the 17th day of November, 2022

Owner's Signature _____

Peter Gardner & Janyce Gardner

Notary Public in and for the State of Texas _____

Keri Grant



0 50 100 200 300 400 Feet

Z2023-005: Zoning Change from AG to SFE-2.0

PD-66

AG

30WEL1-RO

Case Location Map = 



City of Rockwall

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

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

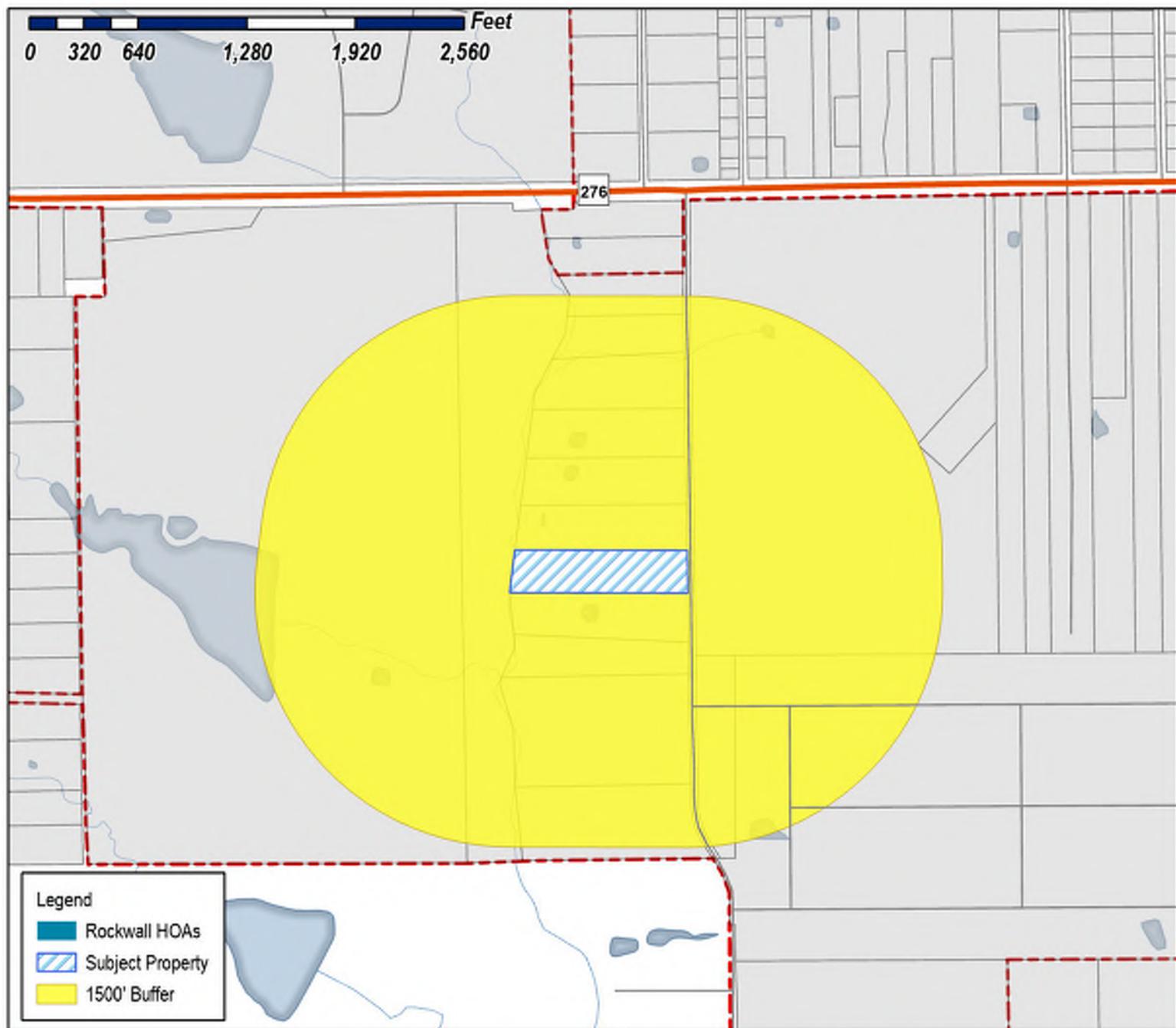




City of Rockwall

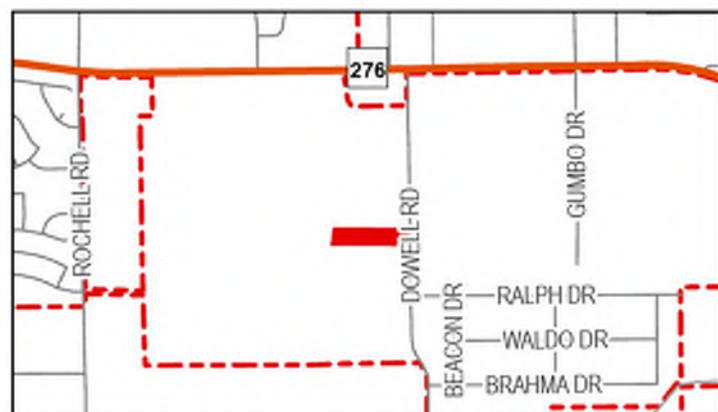
Planning & Zoning Department
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Case Number: Z2023-005
Case Name: Zoning Change from AG to SFE-2.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 548 Dowell Road

Date Saved: 1/20/2023
For Questions on this Case Call (972) 771-7745

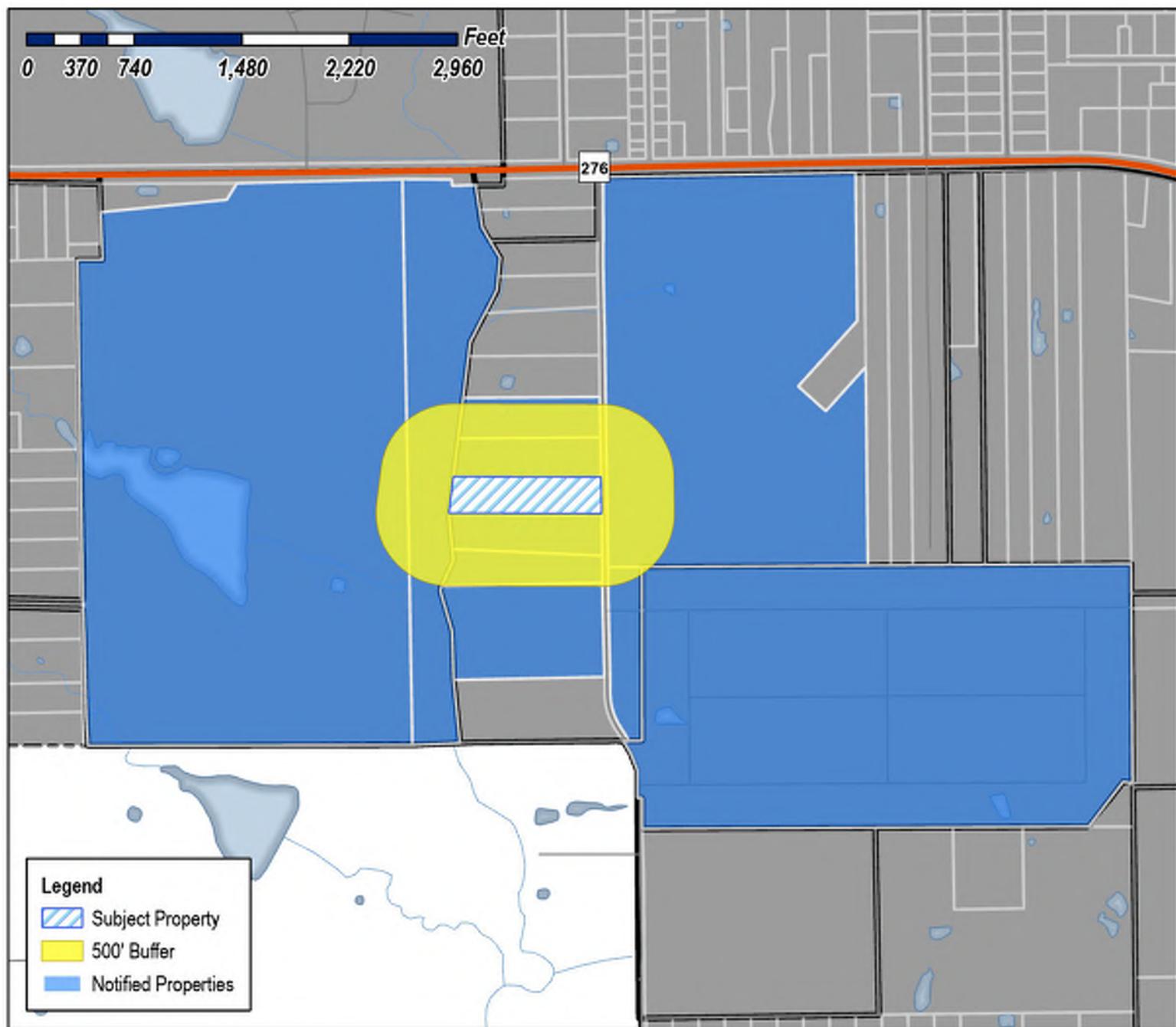




City of Rockwall

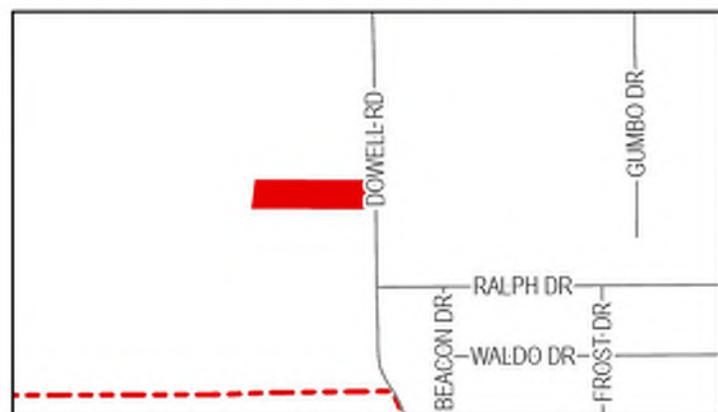
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Case Number: Z2023-005
Case Name: Zoning Change from AG to SFE-2.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 548 Dowell Road

Date Saved: 1/20/2023
For Questions on this Case Call (972) 771-7745



OCCUPANT
HWY276
ROCKWALL, TX 75032

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

TRENTACOSTA AARON L & NIKOLE L
648 DOWELL ROAD
ROCKWALL, TX 75032

SANTOYO AGUSTIN
2300 DOWELL RD
ROCKWALL, TX 75032

SPAFFORD SARAH
494 DOWELL RD
ROCKWALL, TX 75032

SMITH TERRANCE LYNDLE AND MISHAWN
WILSON-SMITH
442 DOWELL ROAD
ROCKWALL, TX 75032

OCCUPANT
548 DOWELL RD
ROCKWALL, TX 75032

MI CASA REAL LLC
2940 BROADWAY BLVD STE 102
GARLAND, TX 75041

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

MCINTIRE PRESTON G AND
SANDY M LOMELI
598 DOWELL RD
ROCKWALL, TX 75032

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

SUMEER HOMES INC
DOWELL RD
ROCKWALL, TX 75189

OCCUPANT
2404 TEXAS DR STE 103
IRVING, TX 75062

SORRELLS ROBERT
8731 REXFORD DR
DALLAS, TX 75209

PUBLIC NOTICE



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

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

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

Z2023-005: Zoning Change from AG to SFE-2.0

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Tuesday, February 21, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-005: Zoning Change from AG to SFE-2.0

Please place a check mark on the appropriate line below:

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

Name:

Address:

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

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

LEGEND:

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

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

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

LEGEND:

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

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

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

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 6.019-ACRE PARCEL OF LAND IDENTIFIED AS LOT 11 OF THE DOWELL ROAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Peter and Janyce Gardner for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

zoning described herein;

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

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

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

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

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

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A'
Legal Description

Addressed: 548 Dowell Road

Legal Description: Lot 11 of the Dowell Road Addition





CITY OF ROCKWALL

CITY COUNCIL CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council
DATE: February 21, 2023
APPLICANT: Peter and Janyce Gardner
CASE NUMBER: Z2023-005; *Zoning Change from Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District*

SUMMARY

Hold a public hearing to discuss and consider a request by Peter and Janyce Gardner for the approval of a Zoning Change from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District on a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and take any action necessary.

BACKGROUND

On September 12, 1994 a final plat for the Dowell Road Addition was filed with Rockwall County. This established the subject property as Lot 11 of the Dowell Road Addition. On December 22, 2008, the City Council approved *Ordinance No. 08-65 [i.e. Case No. A2008-003]* annexing the subject property into the City of Rockwall. At the time of annexation, the subject property was zoned Agricultural (AG) District. According to the Rockwall Central Appraisal District (RCAD), currently situated on the subject property is a ~1,838 SF home that was constructed in 1997, and a ~576 SF detached garage that was constructed in 2000.

PURPOSE

On January 20, 2023, the applicants -- *Peter and Janyce Gardner*-- submitted an application requesting to change the zoning of the subject property from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District. The purpose of this request is to facilitate the construction of a future accessory building on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is addressed as 548 Dowell Road. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property are six (6) parcels of land (*i.e. Lots 3, 4, 5R, 6R, 7R, & 8R of the Dowell Road Addition*) developed with single-family homes and zoned Agricultural (AG) District. Beyond this is the corporate limits for the City of Rockwall. Following this are two (2) parcels of land (*i.e. Lot 1 & 2 of the Dowell Road Addition*) that are located within Rockwall County and developed with single-family homes. North of these parcels is SH-276, which is classified as a TXDOT6D (*i.e. a Texas Department of Transportation, six [6] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan.

South: Directly south of the subject property is one (1) parcel of land (*i.e. Lot 12 of the Dowell Road Addition*) developed with a single-family home and zoned Agricultural (AG) District. Beyond this are three (3) tracts of land (*i.e. Tracts 1-2, 1-4, & 1-5, Abstract 182 of the J. H. Robnett Survey*) developed with single-family homes and zoned Agricultural (AG) District. Following this is the corporate limits for the City of Rockwall.

East: Directly east of the subject property is Dowell Road, which is classified as a M4U (*i.e. major collector, four [4] Lane, undivided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040

Comprehensive Plan. Beyond this is a 106.4403-acre tract of land (i.e. *Tract 1, Abstract 34 of the J. H. Bailey Survey*) zoned Agricultural (AG) District.

West: Directly west of the subject property is a 32.102-acre tract of land (i.e. *Tract 1-1, Abstract 182 of the J. H. Robnett Survey*). Beyond this is a 194.9439-acre tract of land (i.e. *Tract 2-1, Abstract 182 of the J. H. Robnett Survey*). Both properties are zoned Planned Development District 66 (PD-66) for Single-Family 8.4 (SF-8.4) District land uses

CHARACTERISTICS OF THE REQUEST

The applicant is requesting to rezone the 6.019-acre parcel of land from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District. The applicant has indicated to staff that this request is being made to facilitate the future construction of an accessory building that will store animal feed and property maintenance equipment.

CONFORMANCE WITH THE CITY'S CODES

According to Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)he Single-Family Estate 2.0 (SFE-2.0) District is the proper zoning classification for rural, estate lots that are a minimum of two (2) acres in size ... (t)hese lots are typically in the City's hinterland, away from higher density residential developments and non-residential developments; however, they may be used in areas closer to the periphery of the City's developed areas." In this case, the properties adjacent to Dowell Road are zoned Agricultural (AG) District, and in the future they are anticipated to transition to being zoned under the Single-Family Estate (SFE) District zoning designation. Based on this, the requested zoning change does appear to conform to the surrounding area. If the applicant's zoning request is approved, the subject property will be required to conform to all of the requirements stipulated for properties in a Single-Family Estate 2.0 (SFE-2.0) District, which are summarized as follows:

TABLE 1: SINGLE-FAMILY ESTATE 2 (SFE-2) DISTRICT DEVELOPMENT STANDARDS

NUMBER OF DWELLING UNITS/LOT	1.0
NUMBER OF DWELLING UNITS/ACRE	0.5
MINIMUM DWELLING UNIT	2,200 SF
MINIMUM LOT AREA	87,120 SF
MINIMUM LOT WIDTH	150-FEET
MINIMUM LOT DEPTH	250-FEET
MINIMUM FRONT YARD SETBACK	50-FEET
MINIMUM REAR YARD SETBACK	10-FEET
MINIMUM SIDE YARD SETBACK	25-FEET
BETWEEN BUILDINGS	10-FEET
BUILDING HEIGHT	36-FEET
MAXIMUM LOT COVERAGE	35%
REQUIRED PARKING SPACES	2

CONFORMANCE WITH OURHOMETOWN VISION 2040 COMPREHENSIVE PLAN

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

NOTIFICATIONS

On January 27, 2023, staff notified 14 property owners and occupants within 500-feet of the subject property. There were no Homeowner's Associations (HOAs) or Neighborhood Groups within 1,500-feet of the subject property participating in the

Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was written, staff had not received any notices regarding the applicant's request.

CONDITIONS OF APPROVAL

If the City Council chooses to approve the applicant's request for a Zoning Change to rezone the subject property from an Agricultural (AG) District to a Single-Family Estate 2 (SFE-2) District, then staff would propose the following conditions of approval:

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

PLANNING AND ZONING COMMISSION

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



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. 22023-005

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

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

Platting Application Fees:

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

Site Plan Application Fees:

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

Zoning Application Fees:

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

Other Application Fees:

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

Notes:

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

PROPERTY INFORMATION [PLEASE PRINT]

Address 548 Powell Road Rockwall Tx. 75032

Subdivision _____

Lot _____

Block _____

General Location _____

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

Current Zoning AG

Current Use Residential Single Family/AG

Proposed Zoning Single Family Estate 4

Proposed Use _____

Acreage 6

Lots [Current] _____

Lots [Proposed] _____

SITE PLANS AND PLATS: By checking this box you acknowledge that due to the passage of HB3162 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 Peter & Janyce Gardner

Applicant _____

Contact Person _____

Contact Person _____

Address 548 Powell Rd.

Address _____

City, State & Zip Rockwall Tx. 75032

City, State & Zip _____

Phone 469-267-0500, 214-709-1780

Phone _____

E-Mail janycegardner@yahoo.com

E-Mail _____

NOTARY VERIFICATION [REQUIRED]

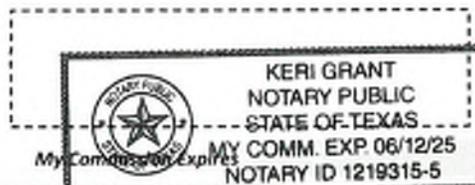
Before me, the undersigned authority, on this day personally appeared Peter Gardner & Janyce Gardner [Owner] the undersigned, who stated the information on this application to be true and certified the following:

"I hereby certify that I am the owner for the purpose of this application; all information submitted herein is true and correct; and the application fee of \$ _____, to cover the cost of this application, has been paid to the City of Rockwall on this the 17th day of November, 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 17th day of November, 2022

Owner's Signature _____

Notary Public in and for the State of Texas _____



0 50 100 200 300 400 Feet

Z2023-005: Zoning Change from AG to SFE-2.0

PD-66

AG

30WEL1-RO

Case Location Map = 



City of Rockwall

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

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

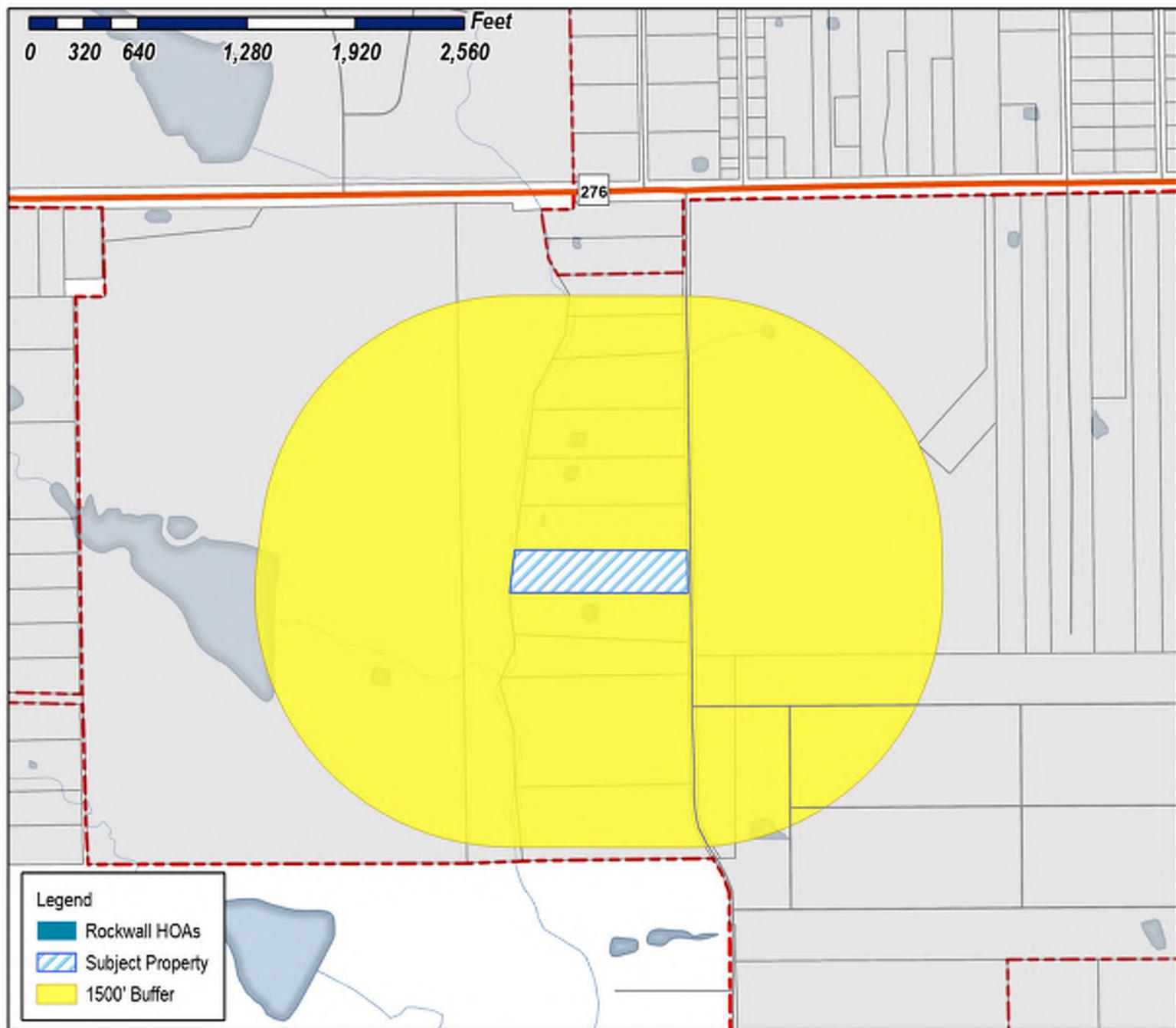




City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087
(P): (972) 771-7745
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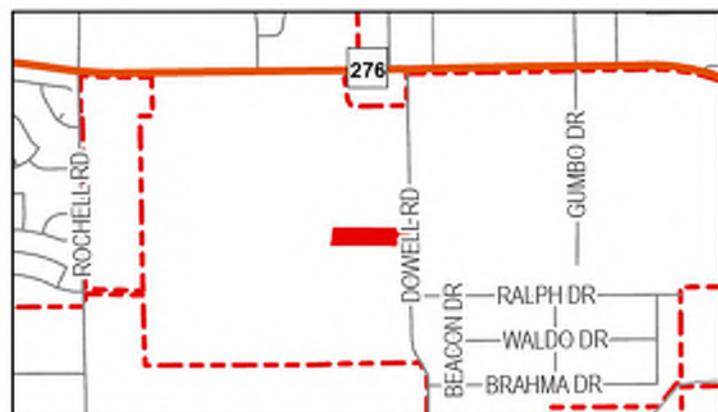
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Case Number: Z2023-005
Case Name: Zoning Change from AG to SFE-2.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 548 Dowell Road

Date Saved: 1/20/2023

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

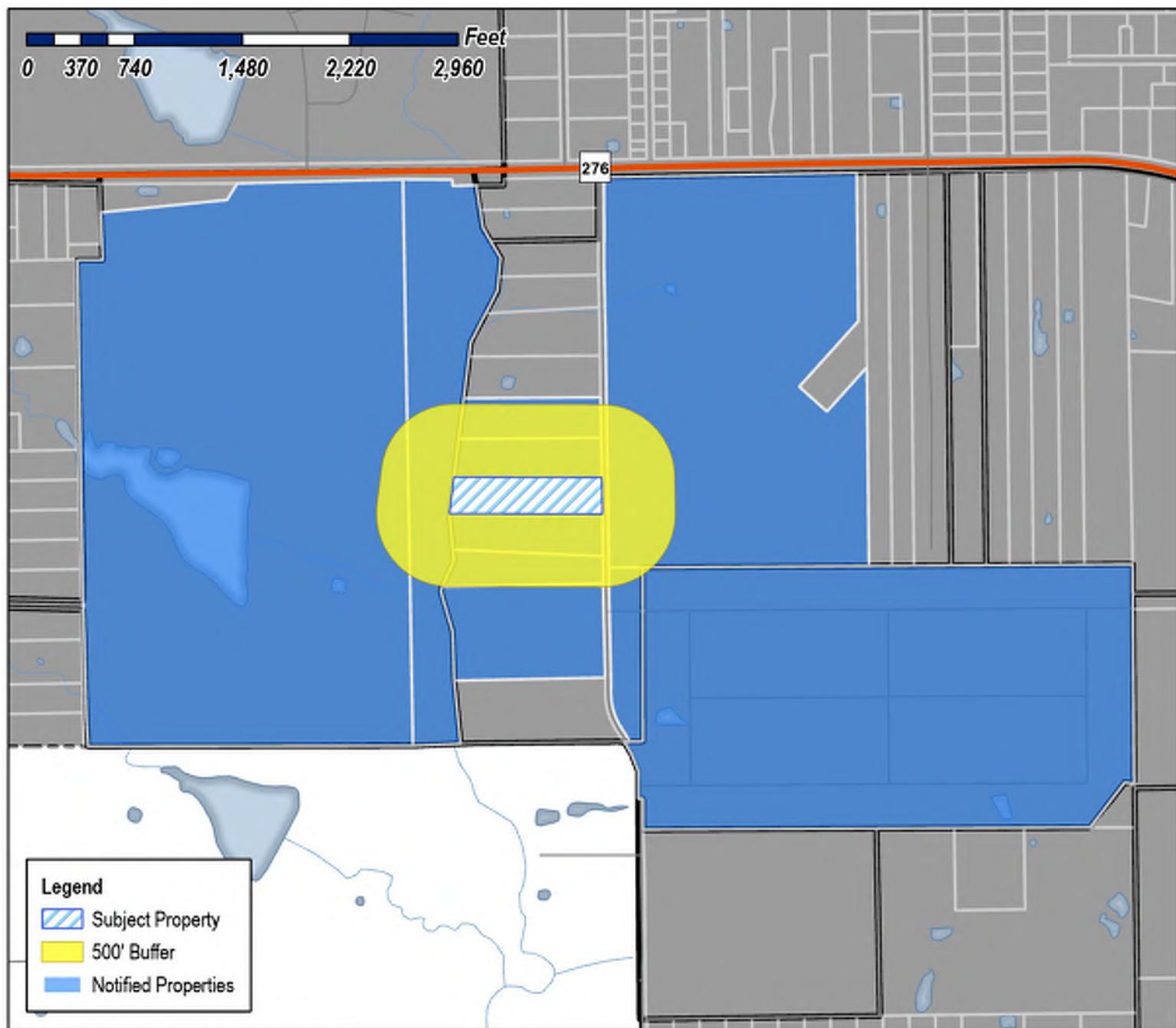




City of Rockwall

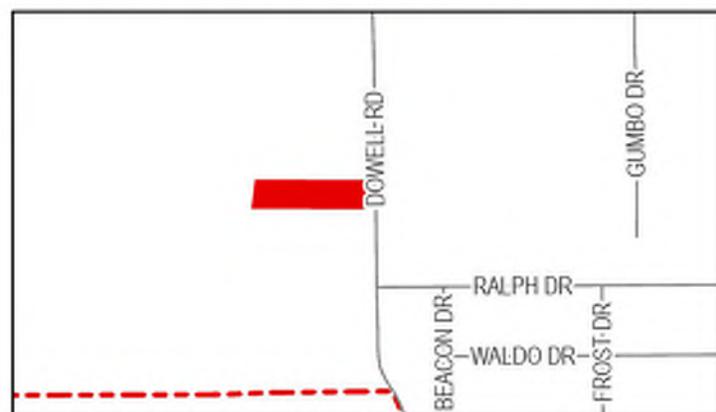
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Case Number: Z2023-005
Case Name: Zoning Change from AG to SFE-2.0
Case Type: Zoning
Zoning: Agricultural (AG) District
Case Address: 548 Dowell Road

Date Saved: 1/20/2023
For Questions on this Case Call (972) 771-7745



OCCUPANT
HWY276
ROCKWALL, TX 75032

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

TRENTACOSTA AARON L & NIKOLE L
648 DOWELL ROAD
ROCKWALL, TX 75032

SANTOYO AGUSTIN
2300 DOWELL RD
ROCKWALL, TX 75032

SPAFFORD SARAH
494 DOWELL RD
ROCKWALL, TX 75032

SMITH TERRANCE LYNDLE AND MISHAWN
WILSON-SMITH
442 DOWELL ROAD
ROCKWALL, TX 75032

OCCUPANT
548 DOWELL RD
ROCKWALL, TX 75032

MI CASA REAL LLC
2940 BROADWAY BLVD STE 102
GARLAND, TX 75041

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

MCINTIRE PRESTON G AND
SANDY M LOMELI
598 DOWELL RD
ROCKWALL, TX 75032

HARLAN PROPERTIES INC
2404 TEXAS DR STE 103
IRVING, TX 75062

SUMEER HOMES INC
DOWELL RD
ROCKWALL, TX 75189

OCCUPANT
2404 TEXAS DR STE 103
IRVING, TX 75062

SORRELLS ROBERT
8731 REXFORD DR
DALLAS, TX 75209

PUBLIC NOTICE



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

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

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

Z2023-005: Zoning Change from AG to SFE-2.0

Hold a public hearing to discuss and consider a request by Ryan Joyce on Michael Joyce Properties on behalf of Vicmar I, LTD for the approval of a Zoning Change from an Agricultural (AG) District to a Planned Development District for Single-Family 10 (SF-10) District land uses on a 140.50-acre tract of land identified as Tract 5 of the J. R. Johnson Survey, Abstract No. 128 and Tract 3 of the G. Wells Survey, Abstract No. 219, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, generally located on the southside of Mims Road west of the intersection of Mims Road and National Drive, and take any action necessary.

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, February 14, 2023 at 6:00 PM, and the City Council will hold a public hearing on Tuesday, February 21, 2023 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

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

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

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

Your comments must be received by Tuesday, February 21, 2023 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP
Director of Planning & Zoning



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

PLEASE RETURN THE BELOW FORM

Case No. Z2023-005: Zoning Change from AG to SFE-2.0

Please place a check mark on the appropriate line below:

I am in favor of the request for the reasons listed below.

I am opposed to the request for the reasons listed below.

[Redacted area]

Name:

Address:

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

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

LEGEND:

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

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

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

LEGEND:

	Land Use <i>NOT</i> Permitted
P	Land Use Permitted <i>By-Right</i>
P	Land Use Permitted with Conditions
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PERMITTED LAND USES IN AN SINGLE FAMILY ESTATES (SFE) DISTRICT

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

CITY OF ROCKWALL

ORDINANCE NO. 23-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 6.019-ACRE PARCEL OF LAND IDENTIFIED AS LOT 11 OF THE DOWELL ROAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City has received a request from Peter and Janyce Gardner for the approval of a *Zoning Change* from an Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District for a 6.019-acre parcel of land identified as Lot 11 of the Dowell Road Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, addressed as 548 Dowell Road, and more fully described and depicted in *Exhibit 'A'* and *Exhibit 'B'* of this ordinance, which hereinafter shall be referred to as the *Subject Property* and incorporated by reference herein; and

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

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District;

SECTION 2. That the *Subject Property* shall be used only in the manner and for the purposes provided for a *Single-Family Estate 2.0 (SFE-2.0) District* as stipulated in Subsection 01.01, *Use of Land and Buildings*, of Article 04, *Permissible Uses*, and Subsection 03.03, *Single-Family Estate 2.0 (SFE-2.0) District*, of Article 05, *District Development Standards*, of the Unified Development Code [*Ordinance No. 20-02*] of the City of Rockwall as heretofore amended, as amended herein by granting of this zoning change, and as maybe amended in the future;

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

zoning described herein;

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

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

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

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

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

Kevin Fowler, *Mayor*

ATTEST:

Kristy Teague, *City Secretary*

APPROVED AS TO FORM:

Frank J. Garza, *City Attorney*

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A'
Legal Description

Addressed: 548 Dowell Road

Legal Description: Lot 11 of the Dowell Road Addition





DATE: March 16, 2023

TO: Peter Gardner
548 Dowell Road
Rockwall, TX 75032

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

SUBJECT: Z2023-005; *Zoning Change from AG to SFE-2.0 for 548 Dowell Road*

Peter Gardner:

This letter serves to notify you that the above referenced zoning case that you submitted for consideration by the City of Rockwall was approved by the City Council on March 6, 2023. The following is a record of all recommendations, voting records and conditions of approval:

Staff Recommendations

- (1) Any construction resulting from the approval of this 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 February 14, 2023, the Planning and Zoning Commission approved a motion to approve the Zoning Change by a vote of 7-0.

City Council

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

Included with this letter is a copy of *Ordinance No. 23-12*, which is the regulating ordinance adopted with the City Council's approval of this case. Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,



Henry Lee, AICP, Planner
Planning and Zoning Department

CITY OF ROCKWALL

ORDINANCE NO. 23-12

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, AS HERETOFORE AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM AN AGRICULTURAL (AG) DISTRICT TO A SINGLE-FAMILY ESTATE 2.0 (SFE-2.0) DISTRICT FOR A 6.019-ACRE PARCEL OF LAND IDENTIFIED AS LOT 11 OF THE DOWELL ROAD ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AND BEING MORE SPECIFICALLY DESCRIBED AND DEPICTED IN *EXHIBIT 'A'* AND *EXHIBIT 'B'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, Texas, as heretofore amended, be and the same are hereby amended by amending the zoning map of the City of Rockwall so as to change the zoning of the *Subject Property* from Agricultural (AG) District to a Single-Family Estate 2.0 (SFE-2.0) District;

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zoning described herein;

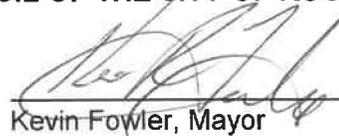
SECTION 4. Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *Two Thousand Dollars (\$2,000.00)* for each offence and each and every day such offense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

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

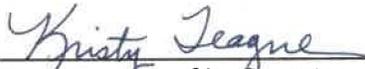
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PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS THE 6TH DAY OF MARCH, 2023.


Kevin Fowler, Mayor

ATTEST:


Kristy Teague, City Secretary



APPROVED AS TO FORM:


Frank J. Garza, City Attorney

1st Reading: February 21, 2023

2nd Reading: March 6, 2023

Exhibit 'A'
Legal Description

Addressed: 548 Dowell Road

Legal Description: Lot 11 of the Dowell Road Addition



Lee, Henry

From: Lee, Henry
Sent: Friday, January 27, 2023 12:13 PM
To: [REDACTED] m'
Subject: Project Comments Z2023-005
Attachments: Project Comments (01.27.2023).pdf; Draft Ordinance (01.21.2023).pdf

Good Afternoon,

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

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

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

Thank you,



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