



**CITY OF ROCKWALL**  
 at Rockwall CityPlace  
 385 South Goliad St.  
 Rockwall, Texas 75087-3699

**Planning Dept.**

*255*

LION PROPERTIES INC  
 600 WEST FREEMAN  
 SEAGOVILLE, TX 75159



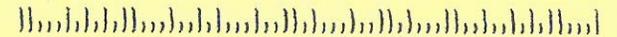
NIXIE 752 0 1 00 07/07/05

RETURN TO SENDER  
 NO SUCH STREET  
 UNABLE TO FORWARD

BC: 75087373785 \*1234-00787-01-39

75159/5555

75087373785



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*255*

LION PROPERTIES INC  
 600 WEST FREEMAN  
 SEAGOVILLE, TX 75



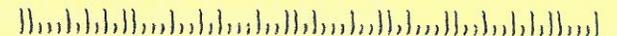
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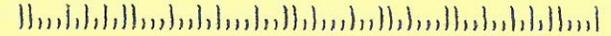


75159/3333 750873737

NIXIE 752 0 1 00 07/07/05

RETURN TO SENDER  
 NO SUCH STREET  
 UNABLE TO FORWARD

BC: 75087373795 \*1234-00787-01-39

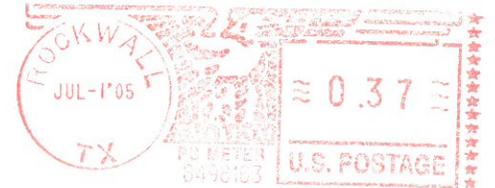


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 SEAGOVILLE, TX 75

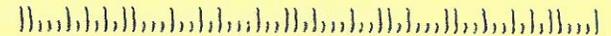


75159/3333 750873737

NIXIE 752 0 1 00 07/07/05

RETURN TO SENDER  
 NO SUCH STREET  
 UNABLE TO FORWARD

BC: 75087373795 \*1234-00784-01-39



Case number: H2005-005

Please place a check mark on the appropriate line below:

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

24

I am opposed to the request for the reasons listed below

*This house is a historic home. At least three generations of the Cadi's have made this their home, and the early 1900's is dated to this property.*

Your Name: *Mike & Mary Crawford*

Rockwall Property Address: *975 N. Alamo Rockwall TX 75087*

- Please see Location Map of Subject Property on the back of this notice -

385 South Goliad

Rockwall, Texas 75087

(972) 771-7745

Case number: H2005-005

Please place a check mark on the appropriate line below:

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

24

I am opposed to the request for the reasons listed below

*it is one of the oldest homes in Rockwall and I would hate to see it become a business and have a bunch of trash bins behind it because I live behind it*

Your Name: *Juanita Crawford*

Rockwall Property Address: *925 N. Alamo*

- Please see Location Map of Subject Property on the back of this notice -

385 South Goliad

Rockwall, Texas 75087

(972) 771-7745

Henry Bastany

BUILT IT IN 1913.

GARAGE WAS COOKHOUSE

BACK IN THE BEGINNINGS.



# CITY OF ROCKWALL

at Rockwall CityPlace

## Public Notice

The City of Rockwall Historic Preservation Advisory Board (HPAB) will hold a public hearing on **Thursday, 7/21/2005 at 6:30 p.m.**, in the Council Chambers at Rockwall City Hall (Second Floor), 385 South Goliad, Rockwall, Texas to consider the following item(s):

### **H2005-006: 502 N. Goliad**

*Hold a public hearing and consider a request for a Certificate of Appropriateness (CofA) from Shirley Black for a 10'x12' accessory structure located in the rear yard and for a 36" high railing located on the front porch at 502 N. Goliad (Black Collectables Addition, Lot1). The tract is zoned (PD-50) Planned Development and is located within the Old Rockwall Historic District and identified as a "Medium Contributing Property."*

As an interested property owner, you are invited to attend these meetings and/or express your thoughts in writing by returning the form below. To ensure your comments are included in the information sent to the HPAB, please return the completed form below by 7/13/2005 to:

Chris Spencer  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

(please return portion of form below the dotted line)

-----  
**Case number: H2005-006**

**Please place a check mark on the appropriate line below:**

I am in favor of the request for the reasons listed below 26

I am opposed to the request for the reasons listed below

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your Name: Bethzel Garand

Rockwall Property Address: 501 N. Goliad

**- Please see Location Map of Subject Property on the back of this notice -**

**MINUTES  
ROCKWALL CITY COUNCIL**

**August 15, 2005**

**4:00 p.m. Pre-Council Meeting**

**City Hall, 385 S. Goliad, Rockwall, Texas 75087**

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen and Matt Scott. Councilmember John King was absent. Also present were City Manager Julie Couch and City Attorney Pete Eckert. Mayor Cecil immediately adjourned the meeting into Executive Session.

**1. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.086 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

- a. Deliberation regarding the purchase, exchange, lease, or value of real property.
- b. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters, including City Attorney.
- c. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
- d. City of Rockwall vs. Vester T Hughes, Jr. as sole independent Executor of the Estate of W.W. Caruth, Jr., deceased.
- e. Liability arising out of actions taken on agenda items for which it is the ethical duty of the City's attorneys to advise the Council.
- f. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

**2. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

**No action was taken as a result of Executive Session.**

**3. PRE-COUNCIL DINNER.**

**The pre-council meeting adjourned at 5:55 p.m.**

**Approved by the City Council of the City of Rockwall, Texas, this \_\_\_\_\_ day of September, 2005.**

**ATTEST:**

\_\_\_\_\_  
**William R. Cecil, Mayor**

\_\_\_\_\_  
**Dorothy Brooks, City Secretary**

ORDINANCE NO. 05-40

95  
96  
97 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING  
98 THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL AS  
99 PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 6.7, SH 205 OVERLAY (SH  
100 205 OV) DISTRICT, SPECIFICALLY TO REQUIRE MONUMENT SIGNS ONLY, APPROVAL OF  
101 ANY VARIANCE TO REQUIRE A THREE-QUARTER (3/4) MAJORITY VOTE OF THOSE CITY  
102 COUNCIL MEMBERS PRESENT WITH A MINIMUM OF FOUR (4) AFFIRMATIVE VOTES, AND  
103 AMENDING THE ARCHITECTURAL STANDARDS FOR ALL COMMERCIAL BUILDING  
104 FACADES; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO  
105 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY  
106 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE  
107 DATE.

108  
109 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING  
110 THE SIGN CODE, AS PREVIOUSLY AMENDED, IN SECTION IC DEFINITIONS, SECTION IIE  
111 SIGN BOARD OF REVIEW AND SECTION III SIGN STANDARDS; PROVIDING FOR A  
112 PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000);  
113 PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

114  
115 The motion passed by a vote of 6 ayes and 1 absent [King].

116  
117 Councilmember McCallum requested that the Council and citizens recognize Kevin Kelly  
118 who was in attendance at the meeting. Kelly is a former Youth Advisory Council member  
119 and is currently serving in the United States Navy.

120  
121 Councilmember McCallum made a motion that Consent Agenda Item 3b be approved and  
122 Mayor Cecil seconded the motion. It was requested that Councilmembers be included in  
123 the NIMS training. The motion passed by a vote of 6 ayes and 1 absent [King].

124  
125 Councilmember Straughan made a motion to approve Consent Agenda Item 3d with  
126 option 1 – push button doors – and Councilmember Cotti seconded the motion. The  
127 motion passed by a vote of 6 ayes and 1 absent [King].

128  
129 Councilmember Nielsen made a motion to approve Consent Agenda Item 3e with the  
130 direction to the Country Club/IRI that whatever they save by not over-seeding the  
131 fairways be put back into the course for weed control. Councilmember Scott seconded  
132 the motion and the motion passed by a vote of 6 ayes and 1 absent [King].

133  
134 **4. APPOINTMENTS**

- 135  
136 a. Appointment with Planning and Zoning Chairman to discuss and answer  
137 any questions regarding cases on the agenda and related issues and  
138 take any necessary action.

139 **Greg Burgamy, Vice Chairman of the Planning and Zoning Commission, discussed the**  
140 **planning and zoning items on tonight's agenda.**

- 141  
142 b. Appointment with Ruth Peck regarding banner signage and take any  
143 action necessary.

144 **Ruth Peck addressed the Council regarding the banner signage that is allowed in the**  
145 **right-of way. Peck stated that the banners look awful when they start sagging and asked**  
146 **if the Council would consider some form of monument signage. After discussion, Julie**

197 Ms. Bota stated that she is extremely fiscally conservative and does not  
198 want any increase.  
199

200 There being no one further to address the Council, Mayor Cecil closed the public  
201 hearing. No action was required or taken as a result of the public hearing.  
202

203  
204 b. Discuss and hold a public hearing on the proposed 2005-2006 budget  
205 and take any action necessary.  
206

207 Mary Smith discussed the proposed budget of \$17.4 Million. Mayor Cecil opened the  
208 public hearing but no one came forward to address the Council, so Mayor Cecil closed  
209 the public hearing. No action was required or taken as a result of the public hearing.  
210

211 c. **Z2005-029** -- Hold a public hearing and consider approval of an  
212 **Ordinance** for a request by Austin Lewis of Lewis Real Estate  
213 Investments to amend (PD-8) Planned Development district, specifically  
214 on a vacant, 6.889-acre tract comprised of Spyglass Hill #4 Addition  
215 (4.324-acres) and Tract 134-12, Abstract 207, E. Teal Survey (2.564-  
216 acres), located along the south side of Henry M. Chandler Drive and  
217 immediately east of the Chandler's Landing Marina and take any action  
218 necessary. [**1<sup>st</sup> Reading**]  
219

220 Mayor Cecil requested that Austin Lewis come forward to discuss his request. Mr. Lewis  
221 gave a power point presentation on the proposed Catalina Cove project. At the  
222 conclusion of the presentation, Robert LaCroix, Planning Director, discussed the  
223 background of the request and discussed Staff and Planning and Zoning  
224 recommendations regarding the proposed project. LaCroix advised that since the  
225 Planning and Zoning Commission had denied the request by a vote of 4-0, it would take a  
226  $\frac{3}{4}$  majority vote by the Council tonight to approve the project. Mayor Cecil opened the  
227 public hearing and the following persons came forward to address the Council:  
228

229 **Ron Coleson**  
230 **228 Sovereign Court**  
231 **Rockwall, Texas**

232 Mr. Coleson stated that although he lives in Chandlers Landing, he is  
233 speaking as an individual, not for the HOA. Mr. Coleson is in favor of the  
234 project.  
235

236 **Jim Choate**  
237 **5801 Yacht Club Drive**  
238 **Rockwall, Texas**  
239 Mr. Choate is against the project.  
240

241 **Ken Blasingame**  
242 **268 Henry M. Chandler**  
243 **Rockwall, Texas**  
244 Mr. Blasingame is against the project.

296 (SF-10) Single Family Residential district to (PD) Planned Development  
297 district for properties known as tracts 1, 10 and 11; Abstract No. 255, B J  
298 T Lewis Survey. The overall proposal is comprised of approximately  
299 1.769-acres and includes the properties addressed as 902 & 906 S.  
300 Goliad Street and 903 S. Alamo Street; take any action necessary.  
301 [1<sup>st</sup> Reading]  
302

303 **Robert LaCroix discussed the background of the request. LaCroix stated that the change**  
304 **in zoning makes the property subject to site plan review and also takes care of signage.**  
305 **Mayor Cecil opened the public hearing and the following persons came forward to**  
306 **address the Council:**

307  
308 **Sam Canup [Applicant]**  
309 **834 Cypress Drive**  
310 **Uncertain, Texas**

311 **Mr. Canup requested that the Council approve his request.**  
312

313 **There being no one further to address the Council, Mayor Cecil closed the public**  
314 **hearing. Councilmember Cotti made a motion to approve the request and**  
315 **Councilmember Nielsen seconded the motion. The ordinance was read as follows:**

316 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING  
317 THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY  
318 AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (SF-10) SINGLE FAMILY  
319 DISTRICT TO (PD) PLANNED DEVELOPMENT DISTRICT, ON A TRACT OF LAND  
320 CONTAINING 1.769-ACRES AND KNOWN AS TRACTS 1, 10 AND 11, ABSTRACT 255, B J T  
321 LEWIS SURVEY, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A";  
322 PROVIDING FOR A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND  
323 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE;  
324 PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.  
325  
326

327 **The motion passed by a vote of 6 ayes and 1 absent [King].**  
328

329 f. **H2005-005 -- Hold a public hearing and consider approval of an**  
330 **Ordinance** for a city initiated request for a Historic Landmark designation  
331 for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7)  
332 Single Family and is located outside of the Old Rockwall Historic District  
333 and identified as a "High Contributing Property" within the Historic survey  
334 and take any action necessary. [1<sup>st</sup> Reading]  
335

336 **Robert LaCroix discussed the background of this request for the historic designation of**  
337 **the property at 925 N. Goliad, which will be known as the "Historic Cade Home". Mayor**  
338 **Cecil opened the public hearing but no one came forward to address the Council, so the**  
339 **public hearing was closed. Councilmember Cotti made a motion to approve the request**  
340 **and Councilmember Straughan seconded the motion. The ordinance was read as**  
341 **follows:**

342 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING  
343 THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS  
344 PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 6.2 HISTORIC OVERLAY  
345 DISTRICT TO PROVIDE FOR GENERAL PROVISIONS AND REQUIREMENTS FOR THE  
346 DESIGNATION OF A LANDMARK DISTRICT KNOWN AS THE HISTORIC "CADE HOME,"  
347 BEING 925 N. GOLIAD, BLOCK PART 32, GARNER ADDITION; AND MORE SPECIFICALLY  
348 DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING  
349

402 Councilmember Scott made a motion to table this item until September 6, 2005, and  
403 Councilmember Straughan seconded the motion. The motion passed by a vote of 6 ayes  
404 and 1 absent [King].

405  
406 b. Discuss Capital Improvement Plan including projects, financing  
407 alternatives, and bond election matters and take any action necessary.

408 City Manager Julie Couch discussed the CIP projects and the proposed propositions.  
409 After discussion, the Council stated that they preferred the bonds to be placed on the  
410 ballot in the following order: Bypass, Other Roads, Fire Department, Parks, and Animal  
411 Shelter. After lengthy discussion, Mayor Cecil made a motion that the City move forward  
412 with the bond issues, including building the Bypass to State standards. Councilmember  
413 Scott seconded the motion and the motion passed by a vote of 6 ayes and 1 absent  
414 [King].

415  
416 There being no further business to come before the Council in regular session, Mayor  
417 Cecil adjourned the meeting into Executive Session at 11:26 p.m.

418  
419 7. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.086 OF  
420 TEXAS GOVERNMENT CODE TO DISCUSS:

421 a. Deliberation regarding the purchase, exchange, lease, or value of real  
422 property.

423 b. Personnel Issues, including Board, Commission, and Committee  
424 Appointments, and Related Matters, including City Attorney.

425 c. Commercial or financial information regarding business prospects that the  
426 City seeks to have locate, stay, or expand in or near the territory of the  
427 City of Rockwall and with which the Board is conducting economic  
428 development negotiations.

429 d. City of Rockwall vs. Vester T Hughes, Jr. as sole independent Executor of  
430 the Estate of W.W. Caruth, Jr., deceased.

431 e. Liability arising out of actions taken on agenda items for which it is the  
432 ethical duty of the City's attorneys to advise the Council.

433 f. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation  
434 with attorney with regard to a matter that it is the duty of the attorney to  
435 consult with the Council and falls under the attorney-client privilege.

436 8. TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION

437  
438 Councilmember Scott made a motion to approve the increase of the City Attorney's  
439 hourly rate to \$125 per hour and a per Council meeting fee of \$325. Councilmember  
440 Straughan seconded the motion and the motion passed by a vote of 6 ayes and 1 absent  
441 [King].

442  
443 Councilmember Straughan made a motion to appoint Bob Jolley to the Architectural  
444 Review Board and Councilmember Cotti seconded the motion. The motion passed by a  
445 vote of 6 ayes and 1 absent [King].

446  
447 Councilmember Cotti made a motion to rescind the previous action of the Council  
448 regarding the reappointment of Patricia May to the Board of Adjustments and to take

H 2005-005

Legal Notices

Legal Notices

### **Public Notice**

The City of Rockwall Historic Preservation Advisory Board (HPAB) will hold a public hearing on **Thursday, 7/21/2005 at 6:30 p.m.** in the Council Chambers at Rockwall City Hall (Second Floor), 285 South Goliad, Rockwall, Texas to consider the following item(s):

**H2005-005: 925 North Goliad**

Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic Survey.

All interested property owners are invited to attend.

Legal Notices

Legal Notices

Legal Notices

**- Public Notice -**

The City of Rockwall Planning and Zoning Commission will hold a public hearing on **Tuesday, August 9, 2005** at 6:00 p.m. in the Council Chambers at Rockwall City Hall, 385 South Goliad, Rockwall, Texas, and the Rockwall City Council will hold a public hearing on **Monday, August 15, 2005** at 6:00 p.m. in the Council Chambers at Rockwall City Hall, 385 South Goliad, Rockwall, Texas, to consider the following items:

**H2005-005**

Hold a public hearing and consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic survey.

**Z2005-029**

Hold a public hearing and consider a request by Austin Lewis of Lewis Real Estate Investments to amend (PD-8) Planned Development district, specifically on a vacant, 6.889-acre tract comprised of Spyglass Hill #4 Addition (4.324-acres) and Tract 134-12, Abstract 207, E. Teal Survey (2.564-acres), located along the south side of Henry M. Chandler Drive and immediately east of the Chandler's Landing Marina.

**Z2005-030**

Hold a public hearing and consider a request by Tim Thompson of Realty Capital Corporation for approval of a change in zoning from (Ag) Agricultural district to (PD) Planned Development district to accommodate development of a single-family residential community on 139.354-acres known as Tracts 1 and 7, Abstract 123, A. Johnson Survey and located along the north side of S FM 549, east of SH 205 and west of Lofland Lake.

**Z2005-031**

Hold a public hearing and consider a request from Sam Canup for a change in zoning from (SF-10) Single Family Residential district to (PD) Planned Development district for properties known as tracts 1, 10 and 11; Abstract No. 255, B J T Lewis Survey. The overall proposal is comprised of approximately 1.769-acres and includes the properties addressed as 902 & 906 S. Goliad Street and 904 S. Alamo Street.

**All interested parties are encouraged to attend. Please contact the City of Rockwall Planning and Zoning staff at (972) 771-7745 with any questions.**

**MINUTES  
ROCKWALL CITY COUNCIL**

**September 6, 2005  
6:00 p.m. Regular Meeting  
City Hall, 385 S. Goliad, Rockwall, Texas 75087**

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**1. CALL TO ORDER**

Mayor Cecil called the meeting to order at 6:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen, John King and Matt Scott. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER JOHN KING**

**3. PROCLAMATIONS**

a. Presentation of a proclamation honoring Bill Proudfit.

Mayor Cecil presented the proclamation to Bill Proudfit. Proudfit served his country during World War II as a member of the 6th Ranger Battalion and in 1945 was a member of the special group from the 6th Ranger Battalion which undertook a daring rescue mission thirty miles behind enemy lines to liberate more than 500 American prisoners-of-war from the Cabanatuan Japanese Prisoner of War Camp. For his part in the mission Proudfit received the United States Bronze Star and the Philippines Medal of Freedom.

b. Presentation of awards to Rockwall TAAF Athletes of the Year.

Mayor Cecil and Brad Griggs, Parks Director, presented awards to Clarissa Andrews for being the Texas Amateur Athlete Federation (TAAF) Rockwall Female Athlete of the Year and Durell Coleman for being TAAF Rockwall Male Athlete of the Year and TAAF Region 7 Athlete of the Year.

Mayor Cecil presented a proclamation to Pay Jeray of the Daughters of the American Revolution proclaiming the week of September 17 – 24, 2005 as Constitution Week.

**4. OPEN FORUM**

Mayor Cecil opened the floor to those persons who wished to address the Council on any matter that is not on the agenda. The following persons came forward to address the Council:

**Barb Coleson  
228 Sovereign Court  
Rockwall, Texas**

Ms. Coleson requested funding to be returned to the budget for the Rockwall Pride Program/Downtown Merchants.

**Earl Milner  
204 Dartbrook  
Rockwall, Texas**

Spoke about the Katrina Hurricane victims that are in Rockwall and stated that there would be a picnic for them on Saturday, September 10, 2005,

- 148 j. **Z2005-025** – Consider continuing until September 19, 2005, the  
 149 consideration of the approval of a request by Miles Prestemon of  
 150 Newland Communities for a change in zoning from (Ag) Agricultural  
 151 district to (PD) Planned Development district on approximately 395.075-  
 152 acres comprised of Tracts 1 and 2, Abstract 71, W.T. DeWeese Survey,  
 153 and Tracts 2, 3 and 4, Abstract 131, S. King Survey. The subject property  
 154 is located along the east side of SH 205, south side of FM 552, west side  
 155 of Hayes Rd and north side of Quail Run and take any action necessary.  
 156
- 157 k. Consider approval of the award of a contract for the construction of a new  
 158 fence at the Heath Street water yard and take any action necessary.  
 159
- 160 l. Consider approval of amending the Resolution calling the November 8,  
 161 2005 bond election and take any action necessary.
- 162 m. Consider approval of a Resolution regarding compliance with Chapter  
 163 395 of the Texas Local Government Code regarding impact fees and take  
 164 any action necessary.

165 **Councilmember Cotti requested that Consent Agenda Items 5i and 5l be pulled.**  
 166 **Councilmember King requested that Consent Agenda Item 5b be pulled. Councilmember**  
 167 **Scott requested that Consent Agenda Item 5e be pulled. Councilmember Cotti then made**  
 168 **a motion to approve the remaining Consent Agenda Items (5a, 5c, 5d, 5f, 5g, 5h, 5j, 5k,**  
 169 **5m) and Councilmember Scott seconded the motion. The ordinances were read as**  
 170 **follows:**

171  
 172 **ORDINANCE NO. 05-42**

173  
 174 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
 175 AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL AS  
 176 PREVIOUSLY AMENDED SO AS TO APPROVE A CHANGE IN ZONING FROM (SF-  
 177 10) SINGLE FAMILY DISTRICT TO (PD) PLANNED DEVELOPMENT DISTRICT, ON  
 178 A TRACT OF LAND CONTAINING 1.769-ACRES AND KNOWN AS TRACTS 1, 10  
 179 AND 11, ABSTRACT 255, B J T LEWIS SURVEY, AND MORE SPECIFICALLY  
 180 DESCRIBED HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS;  
 181 PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO  
 182 THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A  
 183 SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING  
 184 FOR AN EFFECTIVE DATE.

185  
 186 **ORDINANCE NO. 05-43**

187  
 188 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
 189 AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY  
 190 OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE V,  
 191 SECTION 6.2 HISTORIC OVERLAY DISTRICT TO PROVIDE FOR GENERAL  
 192 PROVISIONS AND REQUIREMENTS FOR THE DESIGNATION OF A LANDMARK  
 193 DISTRICT KNOWN AS THE HISTORIC "CADE HOME", BEING 925 N. GOLIAD,  
 194 BLOCK PART 32, GARNER ADDITION; AND MORE SPECIFICALLY DESCRIBED  
 195 HEREIN AS EXHIBIT "A"; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING  
 196 FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND  
 197 DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY  
 198 CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN  
 199 EFFECTIVE DATE.

200  
 201 **The motion passed unanimously by a vote of 7 ayes and 0 nays.**  
 202

255           b.     **FF2005-001** -- Hold a public hearing and consider a request from Paul  
256           and Loretta Linter to permit a front yard fence, including a variance to the  
257           maximum height requirement of 36-inches (proposed 48-inches), on Lot  
258           23, Block J, Hillside Phase 5 at The Shores, located at 1561 Water Way  
259           Court and take any action necessary.  
260

261     **Robert LaCroix discussed the background of this request to permit a front yard fence.**  
262     **Mayor Cecil opened the public hearing and the following persons came forward to**  
263     **address the Council:**

264           **Paul Linter (Applicant)**  
265           **1561 Water Way Court**  
266           **Rockwall, Texas**

267           **Mr. Linter described the area to be fenced and requested that the Council**  
268           **approve this request.**  
269

270  
271     **There being no one further to address the Council, Mayor Cecil closed the public**  
272     **hearing. Councilmember McCallum made a motion to approve the request and**  
273     **Councilmember Straughan seconded the motion. The motion passed unanimously by a**  
274     **vote of 7 ayes and 0 nays.**  
275

276           c.     **A2005-002 (6:00 pm)** -- Hold a public hearing and consider a petition for  
277           annexation from Joe D. and JoAnn Loftis to annex land of approximately  
278           247.73 acres located along the south side of Hwy 276 east of Rochelle  
279           Rd., and contiguous to the existing City Limits line and take any action  
280           necessary.  
281

282     **Robert LaCroix discussed the voluntary annexation request by Mr. and Mrs. Joe Loftis**  
283     **and talked about the service plan. Mayor Cecil opened the public hearing and the**  
284     **following persons came forward to address the Council:**

285           **Joe Loftis**  
286           **3331 Highway 276**  
287           **Rockwall, Texas**

288           **Mr. Loftis requested that the Council approve the petition for annexation.**  
289

290  
291     **There being no one further to address the Council, Mayor Cecil closed the public**  
292     **hearing. No action was required or taken by the Council at this time.**  
293

294           d.     **A2005-002 (6:30 pm)** -- Hold a public hearing and consider a petition for  
295           annexation from Joe D. and JoAnn Loftis to annex land of approximately  
296           247.73 acres located along the south side of Hwy 276 east of Rochelle  
297           Rd., and contiguous to the existing City Limits line and take any action  
298           necessary.  
299

300     **Robert LaCroix stated that by law the second public hearing could be held immediately**  
301     **after the first in this annexation process. Mayor Cecil opened the public hearing and the**  
302     **following persons came forward to address the Council:**

303           **Joe Loftis**  
304           **3331 Highway 276**  
305           **Rockwall, Texas**  
306

362 Barb Coleson  
363 228 Sovereign Court  
364 Rockwall, Texas  
365 Ms. Coleson asked the Council to put \$25,000 back in the budget and  
366 stated it was ok to raise the tax rate.

367  
368 There being no one further to address the Council, Mayor Cecil closed the public  
369 hearing. No action was required or taken on this item.

370  
371 **8. ACTION ITEMS**

372  
373 a. Discuss and consider amending the Noise Ordinance (Ord. No. 03-19) to  
374 provide for no construction on federally recognized holidays and take any  
375 action necessary.

376  
377 **Councilmember Scott stated that he brought this item forward because of complaints he**  
378 **had received. After discussion, Councilmember Scott made a motion to amend the Noise**  
379 **Ordinance to provide that there would be no construction allowed on Thanksgiving Day,**  
380 **Christmas Day and New Year's Day. Councilmember King seconded the motion and the**  
381 **motion passed unanimously by a vote of 7 ayes and 0 nays.**

382  
383 b. Discuss and consider the Hotel/Motel Subcommittee funding  
384 recommendations for the 2006 budget and take any action necessary.

385  
386 **Mary Smith discussed the background and stated that Councilmembers Cotti, McCallum**  
387 **and Scott are on the Subcommittee. Smith described what was funded the**  
388 **recommendations they made. State statutes have requirements on how these funds can**  
389 **be applied. Mayor Cecil made a motion to approve the Subcommittee's**  
390 **recommendations and Councilmember King seconded the motion. The motion passed**  
391 **unanimously by a vote of 7 ayes and 0 nays.**

392  
393 c. Discuss and consider the City of Rockwall's proposed Operating Budget  
394 for the period October 1, 2005 through September 30, 2006, and the  
395 Amended Budget for October 1, 2004 through September 30, 2005, and  
396 take any action necessary.

397  
398 **Mary Smith advised that this item was brought to the Council once again so that they**  
399 **could discuss any amendments to the budget prior to the adoption at the next meeting.**  
400 **Julie Couch discussed the changes she recommended. After a very lengthy discussion,**  
401 **Mayor Cecil made a motion to (1) not fund the "Pride Program"; (2) retain the**  
402 **Mayor/Council compensation at \$600 annually for the Mayor and \$90 annually for**  
403 **Councilmembers; (3) reduce the aging factor to .5%; implement the Ray Study, but not**  
404 **include the tenure steps; (4) reduce department head grades by 1 step at this time; (5)**  
405 **look at everything over the next six months. Councilmember Cotti seconded the motion**  
406 **and the motion passed by a vote of 6 ayes and 1 nay [McCallum].**

407  
408 **Councilmember Scott requested that the motion be amended to include the Pride**  
409 **Program, but with no street sweeper and Councilmember Cotti seconded the motion.**  
410 **The motion passed by a vote of 6 ayes and 1 nay [McCallum].**

411  
412 d. Discuss and consider Charter Cable services in the City of Rockwall and  
413 take any action necessary.

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**MINUTES**  
**ROCKWALL CITY COUNCIL**  
**September 6, 2005**  
**4:00 p.m. Pre-Council Meeting**  
**City Hall, 385 S. Goliad, Rockwall, Texas 75087**

Mayor Cecil called the meeting to order at 4:00 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, Margo Nielsen and Matt Scott. Councilmember John King arrived around 5:00 p.m. Also present were City Manager Julie Couch and City Attorney Pete Eckert.

1. **HOLD EXECUTIVE SESSION UNDER SECTIONS 551.071, 551.072, 551.074 AND 551.086 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

- a. Deliberation regarding the purchase, exchange, lease, or value of real property.
- b. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters.
- c. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.
- d. City of Rockwall vs. Vester T Hughes, Jr. as sole independent Executor of the Estate of W.W. Caruth, Jr., deceased.
- e. Liability arising out of actions taken on agenda items for which it is the ethical duty of the City's attorneys to advise the Council.
- f. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.

2. **TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

**No action was taken as a result of Executive Session.**

3. **PRE-COUNCIL DINNER.**

**The pre-council meeting adjourned at 5:55 p.m.**

**Approved by the City Council of the City of Rockwall, Texas, this \_\_\_\_\_ day of October, 2005.**

**ATTEST:**

\_\_\_\_\_  
**William R. Cecil, Mayor**

\_\_\_\_\_  
**Dorothy Brooks, City Secretary**

H2005-005

CADE NATHAN L  
306 N HAMILTON ST  
FARMERSVILLE, TX 75442-1500

MONK MARCELLE A LAZARE & PAUL  
924 NORTH ALAMO ST  
ROCKWALL, TX 75087

MALALUAN RAY V  
199 DARRIN DRIVE  
ROCKWALL, TX 75087

CHAVEZ ENRIQUE  
923 N GOLIAD ST  
ROCKWALL, TX 75087

CARMACK MICHAEL & MARGARET C  
193 JACOB CROSSING  
ROCKWALL, TX 75087

DAVIS GEORGE  
5 DARR ROAD  
HEATH, TX 75032

RAKICH DRAGO  
C/O CEDO RAKICH  
341 LAKELAND DR  
HOT SPRINGS AR 71913

PARKS JAMES M & MARY E  
194 CODY PLACE  
ROCKWALL, TX 75087

LION PROPERTIES INC  
600 WEST FREEMAN  
SEAGOVILLE, TX 75159

GREENPOINT CAPITAL LP ETAL  
601 WHITE HILLS DR #300  
ROCKWALL, TX 75087

THURSTON AMANDA  
198 CODY PL  
ROCKWALL, TX 75087

LION PROPERTIES INC  
600 WEST FREEMAN  
SEAGOVILLE, TX 75159

CRAWFORD MICHAEL & MARY  
975 N ALAMO  
ROCKWALL, TX 75087

MILLER DAVID E II & JAMIE M  
202 CODY PLACE  
ROCKWALL, TX 75087

CRAWFORD CARLOS  
925 N ALAMO  
ROCKWALL, TX 75087

CROY DANNY L  
195 CODY PL  
ROCKWALL, TX 75087

CRAWFORD CARLOS  
925 N ALAMO  
ROCKWALL, TX 75087

JONES BRIAN R  
199 CODY PL  
ROCKWALL, TX 75087

WILCOXSON PAUL E  
921 N ALAMO  
ROCKWALL, TX 75087

CLAY KAREN L  
203 CODY PL  
ROCKWALL, TX 75087

MEDLIN ELTON LAKE  
918 NORTH ALAMO DR  
ROCKWALL, TX 75087

STEWART DEBORAH LYNN  
196 DARRIN  
ROCKWALL, TX 75087

ENTWISTLE CHRISTIAN A (RAKICH)  
212 CR 4358  
WINNSBORO, TX 75494

KANSIER GAYLE  
198 DARRIN DRIVE  
ROCKWALL, TX 75087



# CITY OF ROCKWALL

at Rockwall CityPlace

## Public Notice

The City of Rockwall Planning and Zoning Commission will hold a public hearing on **Tuesday, 8/9/2005 at 6:00 p.m.**, in the Council Chambers at Rockwall City Hall (Second Floor), 385 South Goliad, Rockwall, Texas and the Rockwall City Council will hold a public hearing on **Monday, 8/15/2005 at 6:00 p.m.** in the Council Chambers at Rockwall City Hall (Second Floor), 385 South Goliad, Rockwall, Texas to consider the following item(s):

### **H2005-005: 925 N Goliad**

*Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" with in the Historic survey.*

As an interested property owner, you are invited to attend these meetings and/or express your thoughts in writing by returning the form below. To ensure that your comments are included in the information sent to the Planning and Zoning Commission, please return the completed form below by 8/4/2005 to:

Chris Spencer  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

(please return portion of form below the dotted line)

-----  
**Case number: H2005-005**

**Please place a check mark on the appropriate line below:**

I am in favor of the request for the reasons listed below 24

I am opposed to the request for the reasons listed below

---

---

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---

Your Name: \_\_\_\_\_

Rockwall Property Address: \_\_\_\_\_

**- Please see Location Map of Subject Property on the back of this notice -**

PD-56

SF-10

MIDNIGHT

WHISPER

LIVE

DARRIN

OAK

CODY PLACE

JACOB

CROSSING

N. ALAMO

CHAD WAY

ST.

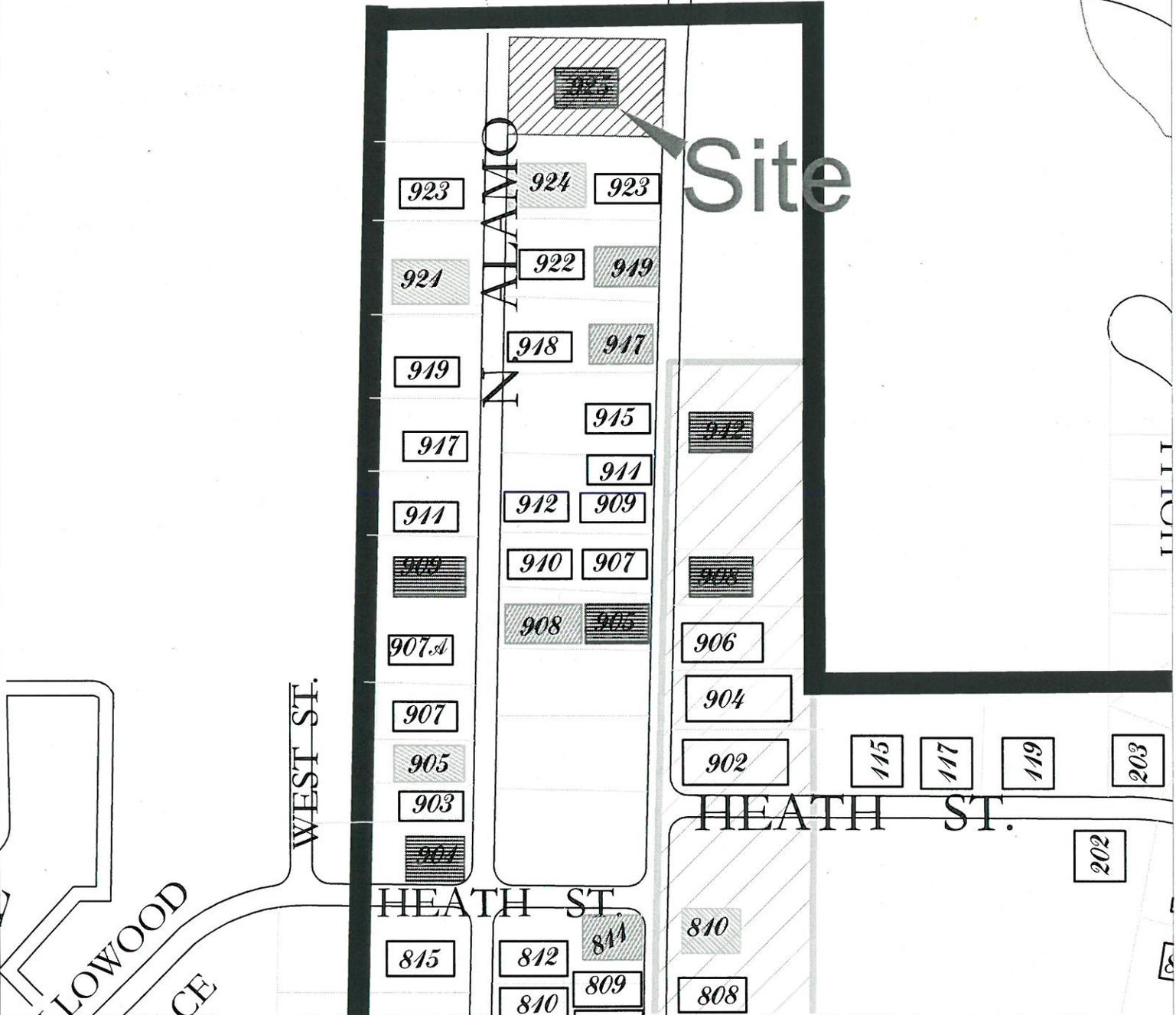
H2005-005  
925 N. Goliad  
Landmark



1" = 200'

DARRIN

Site



925 North Golaid



1" = 200'

TEXAS HISTORICAL COMMISSION  
TEXAS HISTORIC SITES INVENTORY FORM  
RESIDENTIAL PROPERTY FORM

County Rockwall  
City/Rural Rockwall  
Historic Name \_\_\_\_\_  
Address 925 N. COLIAD  
Owner NATHAN CADE  
Legal Desc. 3730-0032-000-A0-0R  
Property Type RES.

SITE # \_\_\_\_\_ USGS Quad # \_\_\_\_\_  
Date: Factual \_\_\_\_\_ Est. 1915 Additions: \_\_\_\_\_  
Architect/Builder \_\_\_\_\_  
Contractor \_\_\_\_\_  
Historic Use RES.  
Present Use RES.  
Subtype \_\_\_\_\_ Stylistic Influence Frame 4-9.

Integrity of:  location  design  setting  materials  workmanship  association  feeling  
HISTORY OF PROPERTY \_\_\_\_\_

AREAS OF SIGNIFICANCE (Include justification) \_\_\_\_\_

BIBLIOGRAPHY (include oral histories) \_\_\_\_\_

Surveyor JSW Date Surveyed 6-1-00  
Photo Data: Roll/Frame 15/14 Through Roll / Frame \_\_\_\_\_ Slides \_\_\_\_\_  
Designations: \_\_\_\_\_ NR \_\_\_\_\_ RTHL \_\_\_\_\_ HABS \_\_\_\_\_ Local \_\_\_\_\_ Other \_\_\_\_\_

DESCRIPTION OF BUILDING:

LOCATION:

original location  
 moved (specify date)  
 building faces (N/S/E/W)

fieldstone veneer  
 brick (color?)  
 wood shingle  
 synthetic siding  
\_\_\_\_\_ specify other

casement  
 fixed  
 decorative screenwork  
(specify light configuration) 1X1

ROOF MATERIALS:

wood shingles  
 composition shingles  
 tile  
 metal (specify)  
 box eaves  
 exposed rafter ends  
 jig-sawn brackets  
 stick brackets  
\_\_\_\_\_ specify other

STORIES:

2 specify #: (1, 1.5, 2...etc.)

PORCHES:

3 specify # of bays <sup>(2 ways)</sup>  
 specify N/E/S/W elev. <sup>(2)</sup>  
 shed roof  
 hipped roof  
 gable roof  
 inset  
 turned-wood posts  
 square posts  
 chamfered wood posts  
 brick piers  
 box columns  
classical columns (specify) \_\_\_\_\_

DOORS / ENTRIES:

single-door primary entrance  
 double-door primary entrance  
 2 primary entrances  
 with transom  
 with sidelights  
\_\_\_\_\_ specify other

CHIMNEYS:

2 specify #  
 interior (placement?)  
off so. side  
 exterior (placement?)  
REAR No. SIDE  
 brick  stone  
 with corbelled caps  
 stucco  
\_\_\_\_\_ specify other

PLAN:

L-plan  
 modified L-plan  
 Center passage plan  
(specify # of rooms deep)  
 2-room plan  
 T-plan  
 bungalow plan  
 shotgun plan  
 asymmetrical plan  
4 square specify other

GABLE END TREATMENT:

same as wall surface  
 stucco  
 wood shingle  
 wood siding  
 decorative bargeboards  
 windows  
 vents  
\_\_\_\_\_ specify other

FOUNDATION MATERIALS:

pier-and-beam  
 stone  
 brick  
\_\_\_\_\_ specify other

fabricated metal  
 squared wood balusters  
 turned wood balusters  
 jig-sawn brackets  
 jig-sawn porch frieze  
 turned work frieze  
\_\_\_\_\_ specify other

ROOF TYPE:

gable  
 hipped  
 flat/with parapet  
 gambrel  
 dormers: (specify #)  
 gable  
 hipped  
 shed  
\_\_\_\_\_ specify other

OTHER:

OUT BUILDINGS:

\_\_\_\_\_ (specify # & type)  
 garage  barn  
 shed  
\_\_\_\_\_ specify other

EXTERIOR WALL SURFACE:

weatherboard siding  
 drop siding  
 stucco  
 stone  
 board-and-batten siding

WINDOWS:

wood sash  
 aluminum sash  
 double-hung

LANDSCAPE:

sidewalks  
 terracing  drives  
 cistern  gardens

Preliminary Plat\*  
 Final Plat\*  
 Replat\*  
 Vacation of Plat

Site Plan\*  
 Concept Plan  
 Overlay District  
 Building Elevations

Conditional Use Permit  
 Landscape Plan  
 Treescape Plan  
 Zoning / Land Use

## H2005-005 925 N Goliad (Landmark)

Addition Name: Garner Current Zoning: SF-7

Proposed Zoning: Historic Landmark No. Of Acres: No. Of Tracts: 2 No. Of Units: 1

General Location of Property (or) Address: 925 North Goliad

### Proposed Use for Property:

**Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" with in the Historic survey.**

Owner's Name: Nathan Cade

Applicant's Name: City of Rockwall

Company: \_\_\_\_\_

Company: Planning and Zoning Department

Address: 306 N Hamilton

Address: 385 South Goliad

City, State, Zip: Farmersville TX, 75442

City, State, Zip: Rockwall, Texas 75087

Phone: 972-784-7316 Fax #: \_\_\_\_\_

Phone: (972) 771-7745 Fax #: (972) 771-7748

*BEFORE ME*, a Notary Public, on this day personally appeared \_\_\_\_\_ the undersigned applicant, who stated the information on this application to be true:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application; all information submitted herein is true and correct; and the application fee of \$ n/a, to cover the cost of this application, has been paid to the City of Rockwall on This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
*Applicant Signature*

SUBSCRIBED AND SWORN TO before me, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
*My Commission Expires*

\_\_\_\_\_  
*Notary Public in & for the State of Texas*

This Application Will Not Be Accepted Without Engineering Submittal On File If Engineering Is Required

**House Bill 1563, Effective September 1, 1999 ,**

**Requires An Original Tax Certificate From Each Taxing Unit Indicating That No Delinquent Ad Valorem Taxes Are Owed On The Property To be Attached To The Plat Or Replat.**



**AGENDA**  
**ROCKWALL CITY COUNCIL**  
June 6, 2005  
6:00 p.m. Regular Meeting  
City Hall, 385 S. Goliad, Rockwall, Texas 75087

6-0 ✓

**8. ACTION ITEMS**

- b.** Discuss and consider a recommendation from the Historic Advisory Board for the designation of 925 N. Goliad as an historic "landmark" and take any action necessary.



## CITY OF ROCKWALL, TEXAS MEMORANDUM

---

**TO:** City Council  
**FROM:** Robert LaCroix  
**DATE:** May 24, 2005  
**SUBJECT:** Creation of a Landmark District for 925 N. Goliad Street

---

The Rockwall Historic Preservation Advisory Board, at their May 19, 2005 regularly scheduled meeting, made a recommendation to consider creating a Landmark District for the property at 925 N. Goliad Street. The Board has also recommended to the Council that a new Historic District be created along N. Goliad Street which would ultimately include this property. However, it will take several months of research and review before the guidelines for this new district can be created and approved. The Board feels that this property deserves immediate attention to ensure its preservation for the City and the neighborhood. As we have discussed in a prior memo, the eastside of N. Goliad, from Olive Street north, is in the "Old Town Rockwall Historic District and due to the changing character of the residential housing along N. Goliad Street, from approximately Interurban Street north to Live Oak Street, the Board feels that this is the appropriate time to create a district that can preserve the existing historic homes and also allow for redevelopment of these properties into the residential/office use that are currently occurring on both sides of the street. As we have previously stated, under the current ordinance the "board may recommend to the Commission and the City Council that certain properties be "Landmark Districts" and that specific areas be designated as "Historic Districts" as provide for in this Ordinance". "A historic landmark property may be a single property or structure not contiguous to or part of an existing historic district, but is deemed worth of preserving. A landmark district may be designated if the property meets one of the following:

- a. Possesses significance in history, architecture, archeology, and/or culture;
- b. Is associated with events that made a significant contribution to the broad patterns of local, regional, state and/or national history;
- c. Is associated with the lives of persons significant in the City of Rockwall's past;
- d. Embodies the distinctive characteristics of a type, period, and/or method of construction;
- e. Represents the work of a master designer, builder, and/or craftsman; or
- f. Represents an established and familiar visual historical feature of the City.

H

TEXAS HISTORICAL COMMISSION  
TEXAS HISTORIC SITES INVENTORY FORM  
RESIDENTIAL PROPERTY FORM

County Rockwall SITE # \_\_\_\_\_ USGS Quad # \_\_\_\_\_  
City/Rural Rockwall Date: Factual \_\_\_\_\_ Est. 1915 Additions: \_\_\_\_\_  
Historic Name \_\_\_\_\_ Architect/Builder \_\_\_\_\_  
Address 925 N. GOLIAD Contractor \_\_\_\_\_  
Owner NATHAN CADE Historic Use RES.  
Legal Desc. 3730-0032-000-A0-0R Present Use RES.  
Property Type RES. Subtype \_\_\_\_\_ Stylistic Influence Prairie School  
Integrity of:  location  design  setting  materials  workmanship  association  feeling  
HISTORY OF PROPERTY \_\_\_\_\_

AREAS OF SIGNIFICANCE (Include justification) \_\_\_\_\_

BIBLIOGRAPHY (include oral histories) \_\_\_\_\_

Surveyor BSW Date Surveyed 6-1-00  
Photo Data: Roll/Frame 13/14 Through Roll / Frame \_\_\_\_\_ Slides \_\_\_\_\_  
Designations: \_\_\_\_\_ NR \_\_\_\_\_ RTHL \_\_\_\_\_ HABS \_\_\_\_\_ Local \_\_\_\_\_ Other \_\_\_\_\_

DESCRIPTION OF BUILDING:

LOCATION:

original location  
 moved (specify date) \_\_\_\_\_  
 building faces (N/S/E/W)

STORIES:

2 specify #: (1, 1.5, 2...etc.)

CONSTRUCTION:

frame  
 solid brick (color?) \_\_\_\_\_  
 solid stone (color?) \_\_\_\_\_  
 specify other \_\_\_\_\_

PLAN:

L-plan  
 modified L-plan  
 Center passage plan  
(specify # of rooms deep) \_\_\_\_\_  
 2-room plan  
 T-plan  
 bungalow plan  
 shotgun plan  
 asymmetrical plan  
 Square specify other \_\_\_\_\_

FOUNDATION MATERIALS:

pier-and-beam  
 stone  
 brick  
 specify other \_\_\_\_\_

EXTERIOR WALL SURFACE:

weatherboard siding  
 drop siding  
 stucco  
 stone  
 board-and-batten siding

fieldstone veneer  
 brick (color?) \_\_\_\_\_  
 wood shingle  
 synthetic siding  
 specify other \_\_\_\_\_

PORCHES:

3 specify # of bays square  
 specify N/E/S/W elev. \_\_\_\_\_  
 shed roof  
 hipped roof  
 gable roof  
 inset  
 turned-wood posts  
 square posts  
 chamfered wood posts  
 brick piers  
 box columns  
classical columns (specify) \_\_\_\_\_  
 taper box supports  
 full-height  
 on piers  
 fabricated metal  
 squared wood balusters  
 turned wood balusters  
 jig-sawn brackets  
 jig-sawn porch frieze  
 turned work frieze  
 specify other \_\_\_\_\_

WINDOWS:

wood sash  
 aluminum sash  
 double-hung

casement  
 fixed  
 decorative screenwork  
(specify light configuration) \_\_\_\_\_  
 specify other \_\_\_\_\_

DOORS / ENTRIES:

single-door primary entrance  
 double-door primary entrance  
 2 primary entrances  
 with transom  
 with sidelights  
 specify other \_\_\_\_\_

ROOF TYPE:

gable  
 hipped  
 flat/with parapet  
 gambrel  
 dormers: (specify #) \_\_\_\_\_  
 gable  
 hipped  
 shed  
 specify other \_\_\_\_\_

ROOF MATERIALS:

wood shingles  
 composition shingles  
 tile  
 metal (specify) \_\_\_\_\_  
 box eaves  
 exposed rafter ends  
 jig-sawn brackets  
 stick brackets  
 specify other \_\_\_\_\_

CHIMNEYS:

2 specify #  
 interior (placement?)  
one on side  
 exterior (placement?)  
near No. side  
 brick  stone  
 with corbelled caps  
 stuccoed  
 specify other \_\_\_\_\_

OTHER:

OUT BUILDINGS:

\_\_\_\_\_ (specify # & type)  
 garage  barn  
 shed  
 specify other \_\_\_\_\_

LANDSCAPE:

sidewalks  
 terracing  drives  
 cistern  gardens



## **SECTION 6 OVERLAY DISTRICTS**

### **6.1 GENERAL OVERLAY DISTRICT STANDARDS**

#### **A. Applicability**

Overlay districts are applied to land which has a traditional district already applied. It establishes additional uses and standards which may be either more or less restrictive than the underlying zoning district. The overlay district governs in all cases where it sets out a particular use or standard. Otherwise, standards and uses in the underlying district will govern.

2. It independently meets the National Register criteria. The level by which a property is "contributing" (high-, medium- and low-contributing property) was originally determined by a historic survey of the properties within the (HO) Historic Overlay District implemented by the City of Rockwall Community Development Department through the Spring and Summer of 2000.

**District.** A designated area within the Preservation District or elsewhere in the City subject to the requirements and standards of the Historic District Ordinance. An identifying name will precede the word "district".

**Guidelines.** The adopted Historic District Design Guidelines.

**Landmark Property.** A property or structure(s), not contiguous to or part of an existing historic district that is deemed worthy of preserving.

**Non-Contributing Structure.** A building, site, structure, or object which does not add to the historical architectural qualities, historical associations, or archaeological value for which a property or district is significant because

1. It was not present during the period of significance, or
2. Due to alterations, disturbances, additions, or other changes it no longer possesses historic integrity reflecting its character at that time or is incapable of yielding important information about the period, or
3. It does not independently meet the National Register criteria.

**Preservation District.** The area designated as having structures which may be suitable for inclusion in a historic district or districts.

#### **C. Historic Preservation Officer**

The Historic Preservation Officer shall administer this ordinance and advise the Historic Preservation Advisory Board on matters submitted to it.

#### **D. Designation Criteria**

The Board may recommend to the Commission and the City Council that certain properties be "Landmark Districts" and that specific areas be designated as "Historic Districts" as provided for in this Ordinance. Any such designation must comply with all limitations expressed Sub-Sections E.5 and E.6 below. Such a property or district shall bear the word "landmark" or "historic" in their zoning designation.

#### **E. Designation Procedures**

1. The City Council may designate by zoning ordinance certain areas as landmark or historic districts, providing they meet the criteria in Sub-Sections E.5 and E.6. When so designated, the area shall bear the word "historic" or "landmark" in their zoning designation.
2. The following steps shall be followed at every level in the recommendation and approval process:
  - a. Public hearings shall be held and notices of same shall be posted, advertised, and notices sent in the manner prescribed under Sub-Section G.6, and other procedures specifically provided in the City's Comprehensive Zoning Ordinance.
  - b. Property owners and other interested parties may present testimony or documentary evidence that will become part of a record regarding the

- b. **Excluded properties.** Properties owned by a religious institution or used for religious purposes shall not be considered eligible for designation as a contributing property (and shall not be effected by adjacent contributing properties) unless they derive primary significance from either architectural distinction or historical importance

## 2. COA does not Replace other Codes

The COA is in addition to and does not replace any other City permits or codes that must be followed.

## 3. Examples

These are examples of situations that require a Certificate of Appropriateness (COA) for work performed on an Applicable Property. Additional information is located in the *Design Guidelines* as referenced.

- a. Construction of a new building. (Section III)
- b. Demolition or removal of an existing structure. (Sections VI and VII)
- c. Alterations to the façade, including additions and removals that will be visible from a public street. (Section III)
- d. New improvements that would substantially obstruct the view of the main or front elevation as seen from a public street.
- e. Painting of a masonry surface not previously painted. For other painting, see *Design Guidelines*, residential properties Section III.M.

Any addition or deletion of landscape materials or landscape design elements need not receive a Certificate of Appropriateness from the Council. It is recommended, however, that all proposed landscaping used in the District be extracted from the "Recommended Plant List" as provided in the Landscape Ordinance of the City of Rockwall. City staff shall maintain a list of plant material that is appropriate for all designated historic areas.

Any person wishing to paint a structure within a historic district may do so without receiving a Certificate of Appropriateness from the Board. City staff and/or the Board shall provide review and comment as requested by the property owner about color selection and design. Such review and comment, however, shall not be binding.

The Board may recommend guidelines to enable the Historic Preservation Officer to issue a Certificate of Appropriateness for exterior restorations and renovations requiring a building permit.

## G Application Procedure

### 1. Application Form

Prior to the commencement of any work requiring a COA the owner shall file with the Historic Preservation Officer an application for such a certificate. The application, a copy of which is available as EXHIBIT (2) of the *Historic Design Guidelines*, shall contain:

- a. Name, address, telephone number of applicant, detailed description of proposed work.
- b. Location of the proposed work (street address) and photographs of the property and adjacent properties. (Historical photographs also may be helpful.)

scheduled" meeting date is not appropriate (e.g., in cases as set forth under Section I, Emergency Procedure) an alternative meeting date will be set.

- b. Written notice of the public hearing shall be sent to the applicant, all persons who are owners of real property lying within two hundred (200) feet of the subject property and to all other persons deemed by the Board to be affected.
- c. Written notice shall be given not less than ten (10) days before the date set for the public hearing to all such owners of record as the ownership appears on the current on-line tax roll. The notice may be served by deposition of the same, properly addressed and postage paid, in the U.S. Post Office.

## **H. Actions After Board Decision**

### **1. Appeal Process**

If the Certificate of Appropriateness is denied, the applicant may appeal to the City Council by filing a written notice with the Historic Preservation Officer within ten (10) business days after the decision of the Board. In considering an appeal, the sole issue before the City Council shall be whether the Board erred in its decision. The City Council shall consider the same standards and evidence that was considered in making the decision. Appeal to the Council constitutes the final administrative remedy.

If the Certificate of Appropriateness is approved, any property owner within the subject historic district aggrieved by any decision of the Board may appeal to the City Council. Said appeals may be made by filing a written notice with the Historic Preservation Officer within ten (10) business days after the decision of Board.

### **2. Reapplication**

If an appeal is denied by both the Board and the Council, no further applications may be considered for the subject matter of the denied Certificate of Appropriateness for one (1) year from the date of the final decision unless:

- a. The Certificate of Appropriateness has been denied without prejudice; or
- b. The Board waives the time limitation because it that there are changes or circumstances sufficient to warrant a new hearing. A simple majority vote by the Board is required to grant the request for the waiver of the time limitation.

### **3. Suspension of Work**

After the work authorized by the Certificate of Appropriateness is commenced, the applicant must make continuous progress towards completion of the work, and shall not suspend or abandon the work for a period of more than 180 days. The Historic Preservation Officer and/or Building Official may, in writing, authorize a suspension of work for a period greater than 180 days upon written request by the applicant showing circumstances beyond his control.

historic district that does not involve a change in design or material. In-kind replacement or repair is included in this definition of ordinary maintenance.

**M. Preservation Incentives**

To promote the goal of stabilizing and improving values of properties within the District, and encourage the rehabilitation and stabilization of structures, the City Council by Resolution may offer tax incentives.

**MINUTES  
ROCKWALL CITY COUNCIL  
June 6, 2005  
6:00 p.m. Regular Meeting  
City Hall, 385 S. Goliad, Rockwall, Texas 75087**

**1. NEWLY ELECTED MAYOR AND COUNCILMEMBERS TAKE THEIR OATH OF OFFICE.**

District Judge Brett Hall formally swore-in the newly elected Mayor and Councilmembers at 6:00 p.m. before the citizens in attendance at tonight's meeting.

**2. CALL TO ORDER**

Mayor Cecil called the meeting to order at 6:10 p.m. Present were Mayor Bill Cecil and Councilmembers Bob Cotti, Stephen Straughan, Tim McCallum, John King and Matt Scott. Also present were City Manager Julie Couch and City Attorney Pete Eckert. [It should be noted that there is a vacancy on the Council at this time so there will only be 6 members voting].

**3. INVOCATION AND PLEDGE OF ALLEGIANCE – COUNCILMEMBER TIM MCCALLUM**

**4. OPEN FORUM**

Mayor Cecil opened the floor to those citizens who wished to address the Council on any subject not on tonight's agenda. The following persons came forward to address the Council:

**Travis Rhodes  
405 Coachlight Trail  
Rockwall, Texas**

Rhodes congratulated the Mayor on his election and then presented his resignation from the Park Board effective the end of July. Rhodes will be moving to east Texas.

Mayor Cecil and Councilmembers Straughan, Cotti and King all thanked Rhodes for his hard work and dedication to the City.

**Ruth Peck**

Ms. Peck thanked the Council for their support of Music Fest and the new Rockwall Philharmonic Orchestra. Pecked invited everyone to come hear the new orchestra on October 8, 2005 at Rush Creek for a salute to Cole Porter.

**5. CONSENT AGENDA**

- a. **Z2005-014** -- Consider approval of an **Ordinance** for a request from Thomas P. Hughes for a zoning change from (MF-14) Multi-Family Residential district to (SF-7) Single Family Residential district for a 0.3-acre tract being Block 82, B.F. Boydston Addition, and including the property addressed as 306 South Fannin Street and take any action necessary. **(2<sup>nd</sup> Reading)**

ORDINANCE NO. 05-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT WITHIN THE (SF-E/4.0) SINGLE-FAMILY ESTATE DISTRICT ALLOWING FOR AN ACCESSORY BUILDING NOT MEETING THE EXTERIOR MATERIALS REQUIREMENT, EXCEEDING THE MAXIMUM 15-FT HEIGHT REQUIREMENT AND EXCEEDING THE MAXIMUM SQUARE FOOTAGE FOR TWO (2) ACCESSORY BUILDINGS ON THE SAME LOT, ON A TRACT LOCATED AT 2625 ROLLING MEADOWS DRIVE, BEING LOT 4, ROLLING MEADOWS ESTATES ADDITION; 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.

ORDINANCE NO. 05-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT TO ALLOW "AUTO REPAIR GARAGE, MINOR" (STAND ALONE QUICK LUBE BUSINESS) ON A TRACT OF LAND KNOWN AS PART OF TRACT 2, ABSTRACT NO. 65, J. CADLE SURVEY, LOCATED ALONG THE EAST SIDE OF SH 205, SOUTH OF SH 276 AND ACROSS FROM RAPLH HALL PARKWAY 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.

ORDINANCE NO. 05-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO APPROVE A CHANGE IN ZONING FROM (AG) AGRICULTURAL DISTRICT TO (LI) LIGHT INDUSTRIAL DISTRICT, ON A TRACT OF LAND CONTAINING 7.16 ACRES AND KNOWN AS TRACTS 4-5 AND 4-7, ABSTRACT 24, N.M. BALLARD SURVEY, AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; 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.

The motion passed unanimously by a vote of 6 ayes and 0 nays.

Councilmember Straughan then made a motion to approve Consent Agenda Item 5e and Councilmember Cotti seconded the motion. The ordinance was read as follows:

ORDINANCE NO. 05-26

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT ALLOWING FOR ANTIQUE/COLLECTABLE SALES OF LESS THAN 2,000 SQUARE FEET WITHIN (PD-50) PLANNED DEVELOPMENT NO. 50 DISTRICT, ON A TRACT OF LAND KNOWN AS LOT 1, BLOCK 1, BLACK'S COLLECTABLES ADDITION AND LOCATED AT 502 N. GOLIAD STREET; 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.

The motion passed unanimously by a vote of 6 ayes and 0 nays.

Robert LaCroix discussed the background of this request for a replat. Mayor Cecil opened the public hearing and the following persons came forward to address the Council:

**Scott Webb (Applicant)**  
1835 Random Oaks  
Rockwall, Texas

Mr. Webb requested approval of the replat.

There being no one further to address the Council, Mayor Cecil closed the public hearing. Councilmember McCallum made a motion to approve the request and Councilmember Straughan seconded the motion. The motion passed unanimously by a vote of 6 ayes and 0 nays.

#### **8. ACTION ITEMS**

- a. Discuss and consider a recommendation from the Historic Advisory Board for the creation of a new Historic District along north SH 205 (Goliad Street) corridor on both sides of the street from Interurban Street north to Live Oak Street, and take any action necessary.

Robert LaCroix discussed the background of this request and Mary Hanrahan of the Historic Advisory Board requested the Council to approve going forward with this recommendation. Councilmember Cotti made a motion instructing Staff to proceed with the creation of a new Historic District and Councilmember McCallum seconded the motion. The motion passed unanimously by a vote of 6 ayes and 0 nays.

- b. Discuss and consider a recommendation from the Historic Advisory Board for the designation of 925 N. Goliad as an historic "landmark" and take any action necessary.

Robert LaCroix discussed the background of this request. LaCroix advised that it would take three public hearings and that the guidelines would be customized for this proposed landmark. Councilmember McCallum made a motion to instruct the Staff to start the procedure to make this property a landmark and Councilmember Scott seconded the motion. The motion passed unanimously by a vote of 6 ayes and 0 nays.

- c. Discuss and consider a recommendation from the Planning and Zoning Commission for the expansion of Planned Development No. 50 along the west side of SH 205 (N. Goliad Street) and take any action necessary.

Robert LaCroix discussed the recommendation for the expansion of Planned Development No. 50 and advised the Council that it would take 60 days to implement this PD. Councilmember Cotti made a motion directing Staff to expand PD50 and Councilmember McCallum seconded the motion. The motion passed unanimously by a vote of 6 ayes and 0 nays.

- d. Discuss and consider approval of a **Resolution** of the City Council of the City of Rockwall, Texas, amending Resolution 98-17 revising the Planning and Zoning Department Application Fee Schedule as described in Exhibit "A" attached herein; providing for an applicant appearance fee; declaring an effective date and take any action necessary.

Robert LaCroix discussed the background of this request and explained that a survey of comparable cities had been performed that showed that our fees were extremely low.

**Julie Couch discussed the background of the request. Councilmember Cotti made a motion to approve the Resolution and authorize the City Manager to execute the agreement. Councilmember Scott seconded the motion and the motion passed unanimously by a vote of 6 ayes and 0 nays.**

- j. Discuss and consider general Council policies and procedures and take any action necessary.**

**Julie Couch discussed the background of this item. After lengthy discussion, it was determined that each Council member would forward their changes to Couch and this item will be brought back to the Council at their next meeting.**

**9. CITY MANAGER'S REPORT TO DISCUSS CURRENT CITY ACTIVITIES, UPCOMING MEETINGS, FUTURE LEGISLATIVE ACTIVITIES, AND OTHER RELATED MATTERS.**

- a. Departmental Reports**
- b. City Manager's Report**

**Julie Couch reported that the cemetery dedication went well and that Mary Smith and Brad Griggs had done a great job. Couch also reported that the City's hazardous waste day was a great success.**

**Councilmember Cotti requested that Mary Smith provide the Council with a projection of the Administrative Contractual Obligations contained in the budget.**

**Councilmember Straughan congratulated Fire Chief Mark Poindexter for a great job with regard to the fire at Chandlers Landing.**

**There being no further business to come before the Council in regular session, Mayor Cecil adjourned the meeting into Executive Session at 9:05 p.m.**

**10. HOLD EXECUTIVE SESSION UNDER SECTIONS 551.072, 551.074 AND 551.086 OF TEXAS GOVERNMENT CODE TO DISCUSS:**

- a. Deliberation regarding the purchase, exchange, lease, or value of real property.**
- b. Personnel Issues, including Board, Commission, and Committee Appointments, and Related Matters; City Manager evaluation; appointment of Councilmember to fill vacancy in Place 6; appointment of Mayor Pro Tem.**
- c. Commercial or financial information regarding business prospects that the City seeks to have locate, stay, or expand in or near the territory of the City of Rockwall and with which the Board is conducting economic development negotiations.**
- d. Consultation with attorney pursuant to §551.071(1) to discuss pending or contemplated litigation relating to annexation.**
- e. Pursuant to Section 551.071(2) of the Open Meetings Act: Consultation with attorney with regard to a matter that it is the duty of the attorney to consult with the Council and falls under the attorney-client privilege.**

PD-56

SF-10

MIDNIGHT

WHISKEY

N. ALAMO

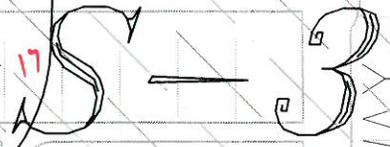
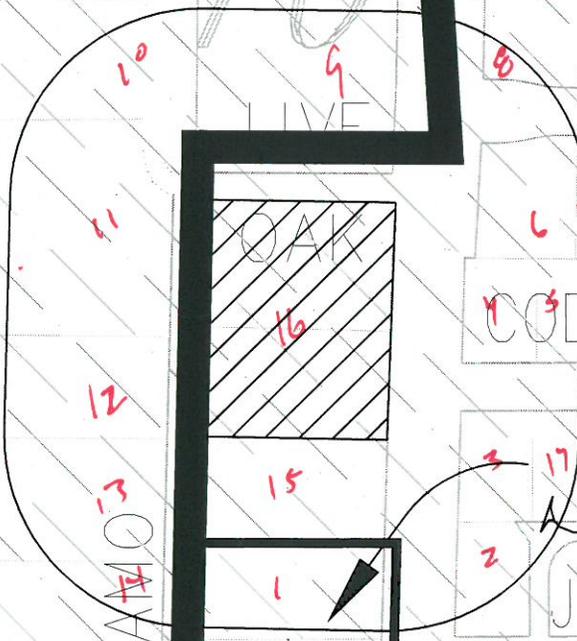
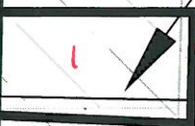
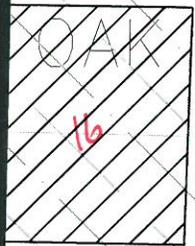
DARRIN

CODY PLACE

JACOB

CROSSING

CHAD WAY



ST.

H2005-005  
925 N. Goliad  
Landmark

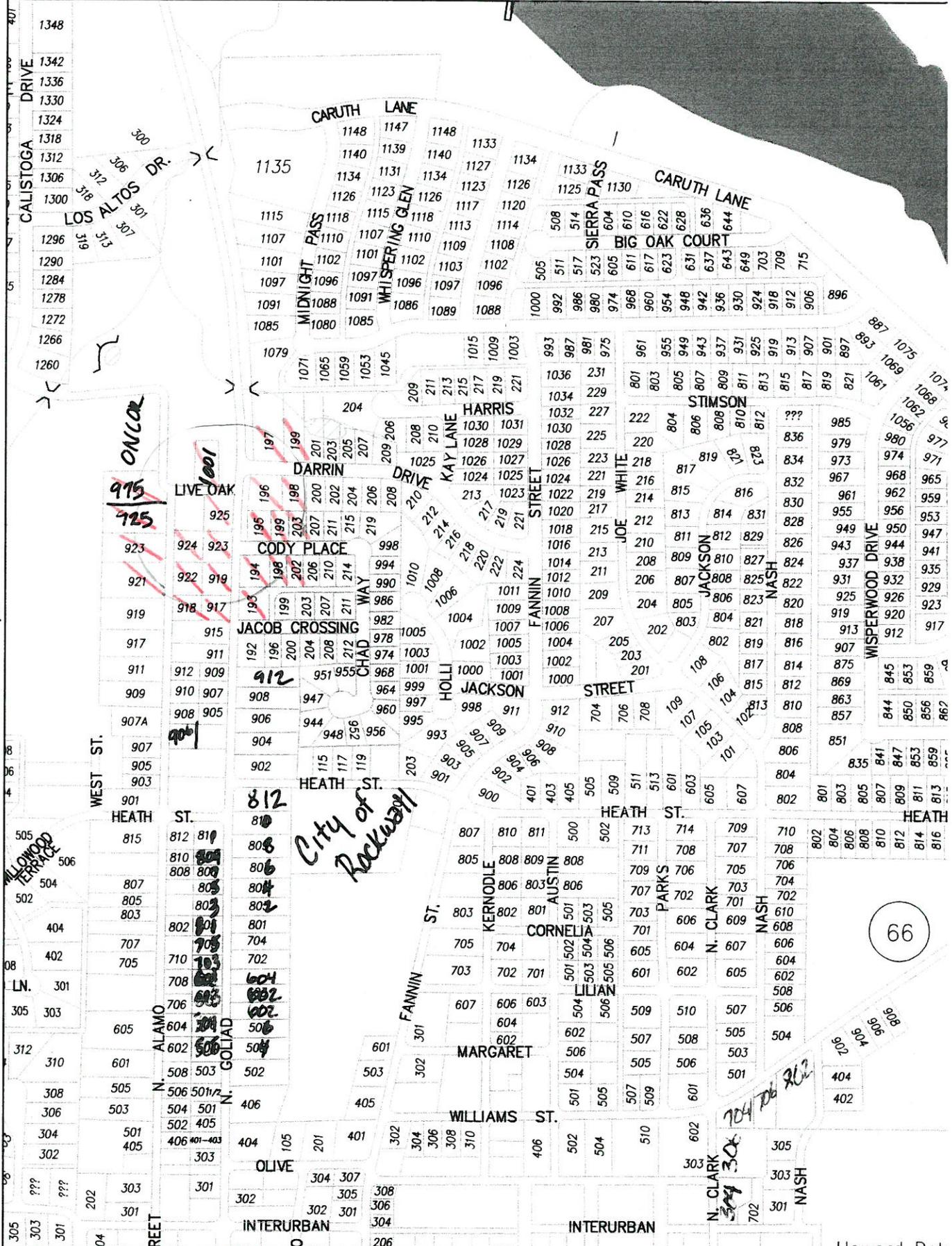


1" = 200'

C2



D1



E1

Howard Dob

12005-005

CADE NATHAN L  
306 N HAMILTON ST  
FARMERSVILLE, TX 75442-1500

MONK MARCELLE A LAZARE & PAUL  
924 NORTH ALAMO ST  
ROCKWALL, TX 75087

MALALUAN RAY V  
199 DARRIN DRIVE  
ROCKWALL, TX 75087

CHAVEZ ENRIQUE  
923 N GOLIAD ST  
ROCKWALL, TX 75087

CARMACK MICHAEL & MARGARET C  
193 JACOB CROSSING  
ROCKWALL, TX 75087

DAVIS GEORGE  
5 DARR ROAD  
HEATH, TX 75032

RAKICH DRAGO  
C/O CEDO RAKICH  
341 LAKELAND DR  
HOT SPRINGS AR 71913

PARKS JAMES M & MARY E  
194 CODY PLACE  
ROCKWALL, TX 75087

LION PROPERTIES INC  
600 WEST FREEMAN  
SEAGOVILLE, TX 75159

GREENPOINT CAPITAL LP ETAL  
601 WHITE HILLS DR #300  
ROCKWALL, TX 75087

THURSTON AMANDA  
198 CODY PL  
ROCKWALL, TX 75087

LION PROPERTIES INC  
600 WEST FREEMAN  
SEAGOVILLE, TX 75159

CRAWFORD MICHAEL & MARY  
975 N ALAMO  
ROCKWALL, TX 75087

MILLER DAVID E II & JAMIE M  
202 CODY PLACE  
ROCKWALL, TX 75087

CRAWFORD CARLOS  
925 N ALAMO  
ROCKWALL, TX 75087

CROY DANNY L  
195 CODY PL  
ROCKWALL, TX 75087

CRAWFORD CARLOS  
925 N ALAMO  
ROCKWALL, TX 75087

JONES BRIAN R  
199 CODY PL  
ROCKWALL, TX 75087

WILCOXSON PAUL E  
921 N ALAMO  
ROCKWALL, TX 75087

CLAY KAREN L  
203 CODY PL  
ROCKWALL, TX 75087

MEDLIN ELTON LAKE  
918 NORTH ALAMO DR  
ROCKWALL, TX 75087

STEWART DEBORAH LYNN  
196 DARRIN  
ROCKWALL, TX 75087

ENTWISTLE CHRISTIAN A (RAKICH)  
212 CR 4358  
WINNSBORO, TX 75494

KANSIER GAYLE  
198 DARRIN DRIVE  
ROCKWALL, TX 75087



# CITY OF ROCKWALL

at Rockwall CityPlace

## Public Notice

The City of Rockwall Historic Preservation Advisory Board (HPAB) will hold a public hearing on **Thursday, 7/21/2005 at 6:30 p.m.**, in the Council Chambers at Rockwall City Hall (Second Floor), 385 South Goliad, Rockwall, Texas to consider the following item(s):

### **H2005-005: 925 N Goliad**

*Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" with in the Historic survey.*

As an interested property owner, you are invited to attend these meetings and/or express your thoughts in writing by returning the form below. To ensure your comments are included in the information sent to the HPAB, please return the completed form below by 7/13/2005 to:

Chris Spencer  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

(please return portion of form below the dotted line)

-----  
**Case number: H2005-005**

**Please place a check mark on the appropriate line below:**

- I am in favor of the request for the reasons listed below 24
- I am opposed to the request for the reasons listed below

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Your Name: \_\_\_\_\_

Rockwall Property Address: \_\_\_\_\_

**- Please see Location Map of Subject Property on the back of this notice -**

ROCKWALL COUNTY NEWS  
P O Box 819  
Rockwall, TX 75087  
972-722-3099 FAX 972-722-3096

**AD PROOF**

**PLEASE REVIEW CAREFULLY!!!!!!!!!!!!!!**

ATTN: Chris Spencer  
Legal 223141  
2x 3.5

*Proof on  
Page 2*

Run Dates: 7/7 Total Cost: \$42.00

**PAID**

Thank you for advertising in the **ROCKWALL COUNTY NEWS**. This proof is an opportunity to review your ad prior to printing. Please correct any errors in the text or the graphics you find. Please sign and fax changes back to Sheryl Murdock at **972-722-3096** as soon as possible.

OK TO PUBLISH *Ch* DATE: 6/30/05

OK W/CORRECTIONS \_\_\_\_\_ DATE: \_\_\_\_\_

**Public Notice**

The City of Rockwall Historic Preservation Advisory Board (HPAB) will hold a public hearing on Thursday, 7/21/2005 at 6:30 p.m. in the Council Chambers at Rockwall City Hall (Second Floor), 285 South Goliad, Rockwall, Texas to consider the following item(s):

**H2005-005: 925 North Goliad**

Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic Survey.

All interested property owners are invited to attend.

Sheryl 223141

2x3.5 7/7

# Advertising Receipt

**Rockwall County News**

316 S Goliad, Ste 107  
PO BOX 819  
Rockwall, TX 75087  
Phone: 972-722-3099  
Fax: 972-722-3096

ROCKWALL, CITY OF-LEGALS ®  
ATTN: DOROTHY BROOKS  
385 SOUTH GOLIAD  
ROCKWALL, TX 75087

**Cust#:** 01100978-000  
**Ad#:** 17528011  
**Phone:** (972)771-7700  
**Date:** 06/30/05

**Ad taker:** 11      **Salesperson:** 6      **Classification:** 001

Description	Start	Stop	Ins.	Cost/Day	Surcharges	Total
09 ROCKWALL COUNTY NEWS	07/06/05	07/06/05	1	42.00		42.00

**Payment Reference:**

L 223141, CHRIS SPENCER

**Total:** 42.00  
**Tax:** 0.00  
**Net:** 42.00  
**Prepaid:** 0.00

**Total Due** 42.00

H2005-005

# PUBLISHER'S AFFIDAVIT

## THE STATE OF TEXAS COUNTY OF ROCKWALL

Before me, the undersigned authority, on this day personally appeared Michael Gresham, who being by me duly sworn deposes and says that he is the Publisher of *Rockwall County News* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published;
4. it has been published regularly and continuously since 1985; and
5. it is generally circulated within Rockwall County.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

July 7th A.D. 2005



Michael Gresham  
Editor and Publisher

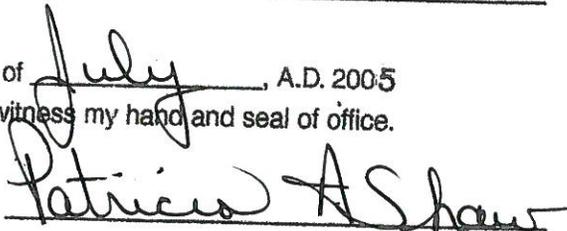
Legal Notices	Legal Notices
<b>Public Notice</b>	
<p>The City of Rockwall Historic Preservation Advisory Board (HPAB) will hold a public hearing on <b>Thursday, 7/21/2005 at 6:30 p.m.</b> in the Council Chambers at Rockwall City Hall (Second Floor), 285 South Goliad, Rockwall, Texas to consider the following item(s):</p> <p><b>H2005-005: 925 North Goliad</b></p> <p>Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic Survey.</p> <p>All interested property owners are invited to attend.</p>	
Business Service	Business Service

### SUBSCRIBED AND SWORN BEFORE ME

by Michael Gresham, who

- a) is personally known to me, or  
 b) provided the following evidence to establish his/her identity. \_\_\_\_\_

on the 7th day of July, A.D. 2005  
to certify which witness my hand and seal of office.



Notary Public, State of Texas



**CITY OF ROCKWALL**  
**Historic Preservation Advisory Board Memo**

**AGENDA DATE:** 7/21/2005

**APPLICANT:** City of Rockwall

**AGENDA ITEM:** H2005-005; 925 N Goliad

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Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic survey.

**BACKGROUND INFORMATION:**

On May 19, 2005, the Historic Preservation Advisory Board (HPAB) directed staff to begin the proceedings to designate the "Cade Home" located at 925 N. Goliad as a City of Rockwall Historic Landmark. On June 6, 2005, City Council approved the recommendation of the HPAB for application of Historical Landmark designation for 925 N. Goliad by a vote of 6-0.

The house at 925 N. Goliad is listed as a "High Contributing" property within the City of Rockwall Historical Survey. The structure, known as the "Cade Home" was constructed in 1913 by Henry Basham and originally sat on 57 bois d'arc blocks. The builder of the house is very notable in this case since Mr. Basham also built the "Reese Home" and many homes along Swiss Avenue in Dallas. The "Cade Home" is built in the "Four-Square" style of architecture with "Folk" architectural influences.

The Foursquare was built to be simple and did not gallivant around between interior and exterior living and entertaining areas - it encouraged a comfortable confinement familiar to post-Civil War homes. Despite having originally been such a defiantly simplistic architecture compared to most other styles of the era, it managed to eventually bear the garnishings of any such style with unusual versatility.

The rules of the American Foursquare were relatively few and lax:

- Over the basement there were two and a half stories, with four (more or less equally-sized) rooms on each full floor;
- Under a hipped roof, the attic was quite livable due to at least one requisite dormer, with up to two more on the sides, but never on the rear;
- The porch spanned the entire, or nearly so, front of the house;
- The front door was offset, unless the four-room plan was nudged to the sides in favor of a central hall;

- Exterior walls were plain, with the only encouraged outdoor creativity released on the windows and porch.

Several board and batten outbuildings and large trees are also located on the site. The garage, one of the outbuildings still located on the site, was the original cookhouse for the property. Any removal of the existing outbuildings or trees would require a C of A from the Historic Preservation Advisory Board.

The subject site is included in the expansion of "PD-50" Planned Development No. 50, which would change the zoning from (SF-7) Single-Family Residential to (R-O) Residential Office District.

In staffs opinion the "Cade Home" is significant to the built environment/architecture and the urban fabric of the City of Rockwall.

Twenty-four (24) notices were sent out to property owners within 200. At the time of this report two (2) notices in favor had been received.

#### **RECOMMENDATIONS:**

Staff Recommends approval of the request.

1. Designate property "CADE Home"

- Preliminary Plat\*
- Final Plat\*
- Replat\*
- Vacation of Plat

- Site Plan\*
- Concept Plan
- Overlay District
- Building Elevations

- Conditional Use Permit
- Landscape Plan
- Treescape Plan
- Zoning / Land Use

## H2005-005 925 N Goliad (Landmark)

Addition Name: Garner Current Zoning: SF-7

Proposed Zoning: Historic Landmark No. Of Acres: No. Of Tracts: 2 No. Of Units: 1

General Location of Property (or) Address: 925 North Goliad

### Proposed Use for Property:

**Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" with in the Historic survey.**

Owner's Name: Nathan Cade

Applicant's Name: City of Rockwall

Company: \_\_\_\_\_

Company: Planning and Zoning Department

Address: 306 N Hamilton

Address: 385 South Goliad

City, State, Zip: Farmersville TX, 75442

City, State, Zip: Rockwall, Texas 75087

Phone: 972-784-7316 Fax #: \_\_\_\_\_

Phone: (972) 771-7745 Fax #: (972) 771-7748

*BEFORE ME*, a Notary Public, on this day personally appeared \_\_\_\_\_ the undersigned applicant, who stated the information on this application to be true:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application; all information submitted herein is true and correct; and the application fee of \$ n/a, to cover the cost of this application, has been paid to the City of Rockwall on This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
*Applicant Signature*

SUBSCRIBED AND SWORN TO before me, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
*My Commission Expires*

\_\_\_\_\_  
*Notary Public in & for the State of Texas*

This Application Will Not Be Accepted Without Engineering Submittal On File If Engineering Is Required

**House Bill 1563, Effective September 1, 1999.**

**Requires An Original Tax Certificate From Each Taxing Unit Indicating That No Delinquent Ad Valorem Taxes Are Owed On The Property To be Attached To The Plat Or Replat.**

PD-56

SF-10

LIVE

OAK

DARRIN

CODY PLACE

JACOB

CROSSING

MIDNIGHT

WHISKEY

N. ALAMO

CHAD WAY

ST.

H2005-005  
925 N. Goliad  
Landmark



1" = 200'



# CITY OF ROCKWALL

at Rockwall CityPlace

## Public Notice

The City of Rockwall Historic Preservation Advisory Board (HPAB) will hold a public hearing on **Thursday, 7/21/2005 at 6:30 p.m.**, in the Council Chambers at Rockwall City Hall (Second Floor), 385 South Goliad, Rockwall, Texas to consider the following item(s):

### **H2005-006: 502 N. Goliad**

*Hold a public hearing and consider a request for a Certificate of Appropriateness (CofA) from Shirley Black for a 10'x12' accessory structure located in the rear yard and for a 36" high railing located on the front porch at 502 N. Goliad (Black Collectables Addition, Lot1). The tract is zoned (PD-50) Planned Development and is located within the Old Rockwall Historic District and identified as a "Medium Contributing Property."*

As an interested property owner, you are invited to attend these meetings and/or express your thoughts in writing by returning the form below. To ensure your comments are included in the information sent to the HPAB, please return the completed form below by 7/13/2005 to:

Chris Spencer  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

(please return portion of form below the dotted line)

-----  
**Case number: H2005-006**

**Please place a check mark on the appropriate line below:**

I am in favor of the request for the reasons listed below 26

I am opposed to the request for the reasons listed below

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your Name: Bettye Gowan

Rockwall Property Address: 501 N. Goliad

**- Please see Location Map of Subject Property on the back of this notice -**

-----  
**Case number: H2005-005**

**Please place a check mark on the appropriate line below:**

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

24

I am opposed to the request for the reasons listed below

*This house is a historic home. At least  
three generations of the Cadi's have  
made this their home, and the early 1900s  
is dated to this property.*

Your Name: *Mike + Mary Crawford*

Rockwall Property Address: *975 N. Alamo Rockwall TX 75087*

**- Please see Location Map of Subject Property on the back of this notice -**

## CITY OF ROCKWALL PLANNING AND ZONING COMMISSION MEMO

**AGENDA DATE:** 8/9/2005

**APPLICANT:** City of Rockwall

**AGENDA ITEM:** H2005-005; 925 N Goliad

---

Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic survey.

**BACKGROUND INFORMATION:**

On May 19, 2005, the Historic Preservation Advisory Board (HPAB) directed staff to begin the proceedings to designate the "Cade Home" located at 925 N. Goliad as a City of Rockwall Historic Landmark. On June 6, 2005, City Council approved the recommendation of the HPAB for application of Historical Landmark designation for 925 N. Goliad by a vote of 6-0.

The house at 925 N. Goliad is listed as a "High Contributing" property within the City of Rockwall Historical Survey. The structure, known as the "Cade Home" was constructed in 1913 by Henry Basham and originally sat on 57 bois d'arc blocks. The builder of the house is very notable in this case since Mr. Basham also built the "Reese Home" and many homes along Swiss Avenue in Dallas. The "Cade Home" is built in the "Four-Square" style of architecture with "Folk" architectural influences.

The Foursquare was built to be simple and did not gallivant around between interior and exterior living and entertaining areas - it encouraged a comfortable confinement familiar to post-Civil War homes. Despite having originally been such a defiantly simplistic architecture compared to most other styles of the era, it managed to eventually bear the garnishings of any such style with unusual versatility.

The rules of the American Foursquare were relatively few and lax:

- Over the basement there were two and a half stories, with four (more or less equally-sized) rooms on each full floor;
- Under a hipped roof, the attic was quite livable due to at least one requisite dormer, with up to two more on the sides, but never on the rear;
- The porch spanned the entire, or nearly so, front of the house;
- The front door was offset, unless the four-room plan was nudged to the sides in favor of a central hall;
- Exterior walls were plain, with the only encouraged outdoor creativity released on the windows and porch.

Several board and batten outbuildings and large trees are also located on the site. The garage, one of the outbuildings still located on the site, was the original cookhouse for the property. Any removal of the existing outbuildings or trees would require a C of A from the Historic Preservation Advisory Board.

The subject site is included in the expansion of "PD-50" Planned Development No. 50, which would change the zoning from (SF-7) Single-Family Residential to (R-O) Residential Office District.

In staffs opinion the "Cade Home" is significant to the built environment/architecture and the urban fabric of the City of Rockwall.

Twenty-four (24) notices were sent out to property owners within 200. At the time of this report one (1) notice in favor had been received.

**RECOMMENDATIONS:**

Staff Recommends approval of the request.

On July 21, 2005, the Historic Preservation Advisory Board recommended "Historic Landmark" status for the property located at 925 N. Goliad subject to the following condition:

1. The property be landmarked as the "Cade Home".

PD-56

SF-10

LIVE

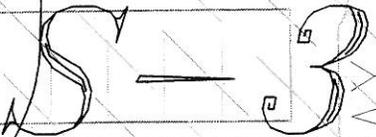
OAK

DARRIN

CODY PLACE

JACOB

CROSSING



N. ALAMO

CHAD WAY

MIDNIGHT

WHISKEY

ST.

H2005-005  
925 N. Goliad  
Landmark



1" = 200'

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Preliminary Plat* | <input type="checkbox"/> Site Plan*          | <input type="checkbox"/> Conditional Use Permit       |
| <input type="checkbox"/> Final Plat*       | <input type="checkbox"/> Concept Plan        | <input type="checkbox"/> Landscape Plan               |
| <input type="checkbox"/> Replat*           | <input type="checkbox"/> Overlay District    | <input type="checkbox"/> Treescape Plan               |
| <input type="checkbox"/> Vacation of Plat  | <input type="checkbox"/> Building Elevations | <input checked="" type="checkbox"/> Zoning / Land Use |

## H2005-005 925 N Goliad (Landmark)

Addition Name: Garner Current Zoning: SF-7

Proposed Zoning: Historic Landmark No. Of Acres: No. Of Tracts: 2 No. Of Units: 1

General Location of Property (or) Address: 925 North Goliad

### Proposed Use for Property:

**Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" with in the Historic survey.**

Owner's Name: Nathan Cade

Applicant's Name: City of Rockwall

Company: \_\_\_\_\_

Company: Planning and Zoning Department

Address: 306 N Hamilton

Address: 385 South Goliad

City, State, Zip: Farmersville TX, 75442

City, State, Zip: Rockwall, Texas 75087

Phone: 972-784-7316 Fax #: \_\_\_\_\_

Phone: (972) 771-7745 Fax #: (972) 771-7748

*BEFORE ME*, a Notary Public, on this day personally appeared \_\_\_\_\_ the undersigned applicant, who stated the information on this application to be true:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application; all information submitted herein is true and correct; and the application fee of \$ n/a, to cover the cost of this application, has been paid to the City of Rockwall on This \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
*Applicant Signature*

SUBSCRIBED AND SWORN TO before me, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
*My Commission Expires*

\_\_\_\_\_  
*Notary Public in & for the State of Texas*

This Application Will Not Be Accepted Without Engineering Submittal On File If Engineering Is Required

**House Bill 1563, Effective September 1, 1999.**

**Requires An Original Tax Certificate From Each Taxing Unit Indicating That No Delinquent Ad Valorem Taxes Are Owed On The Property To be Attached To The Plat Or Replat.**

Case number: H2005-005

Please place a check mark  the appropriate line below:

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

24

     I am opposed to the request for the reasons listed below

*it is one of the oldest Homes in Rockwall  
and I would hate to see it become  
an Business and have a bunch of  
Trash Bins behind it because I live behind it*

Your Name: Duante Crupper

Rockwall Property Address: 925 N. Alamo

- Please see Location Map of Subject Property on the back of this notice -

385 South Goliad ♦ Rockwall, Texas 75087 ♦ (972) 771-7745

**AGENDA**  
**ROCKWALL CITY COUNCIL**  
August 15, 2005  
6:00 p.m. Regular Meeting  
City Hall, 385 S. Goliad, Rockwall, Texas 75087

1. Cott  
2. Straughan  
6-0 ✓

**5. PUBLIC HEARING**

- f. **H2005-005** -- Hold a public hearing and consider approval of an **Ordinance** for a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic survey and take any action necessary. **[1<sup>st</sup> Reading]**

## CITY OF ROCKWALL CITY COUNCIL MEMO

**AGENDA DATE:** 8/15/2005

**APPLICANT:** City of Rockwall

**AGENDA ITEM:** H2005-005; 925 N Goliad

---

Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic survey.

**BACKGROUND INFORMATION:**

On May 19, 2005, the Historic Preservation Advisory Board (HPAB) directed staff to begin the proceedings to designate the "Cade Home" located at 925 N. Goliad as a City of Rockwall Historic Landmark. On June 6, 2005, City Council approved the recommendation of the HPAB for application of Historical Landmark designation for 925 N. Goliad by a vote of 6-0.

The house at 925 N. Goliad is listed as a "High Contributing" property within the City of Rockwall Historical Survey. The structure, known as the "Cade Home" was constructed in 1913 by Henry Basham and originally sat on 57 bois d'arc blocks. The builder of the house is very notable in this case since Mr. Basham also built the "Reese Home" and many homes along Swiss Avenue in Dallas. The "Cade Home" is built in the "Four-Square" style of architecture with "Folk" architectural influences.

The Foursquare was built to be simple and did not gallivant around between interior and exterior living and entertaining areas - it encouraged a comfortable confinement familiar to post-Civil War homes. Despite having originally been such a defiantly simplistic architecture compared to most other styles of the era, it managed to eventually bear the garnishings of any such style with unusual versatility.

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- The front door was offset, unless the four-room plan was nudged to the sides in favor of a central hall;
- Exterior walls were plain, with the only encouraged outdoor creativity released on the windows and porch.

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The subject site is included in the expansion of "PD-50" Planned Development No. 50, which would change the zoning from (SF-7) Single-Family Residential to (R-O) Residential Office District.

In staffs opinion the "Cade Home" is significant to the built environment/architecture and the urban fabric of the City of Rockwall.

Twenty-four (24) notices were sent out to property owners within 200. At the time of this report one (1) notice in favor had been received.

**RECOMMENDATIONS:**

Staff Recommends approval of the request.

On July 21, 2005, the Historic Preservation Advisory Board recommended "Historic Landmark" status for the property located at 925 N. Goliad subject to the following condition:

1. The property be land marked as the "Cade Home".

On August 9, 2005, the Planning and Zoning Commission recommended "Historic Landmark" status for the property located at 925 N. Goliad by a vote of 6-0 (Carroll absent)

PD-56

SF-10

LIVE

OAK

DARRIN

CODY PLACE

JACOB

CROSSING

N. ALAMO

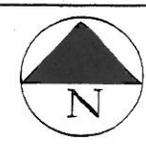
WHISPER

MIDNIGHT

CHAD WAY

ST.

H2005-005  
925 N. Goliad  
Landmark



1" = 200'

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Preliminary Plat* | <input type="checkbox"/> Site Plan*          | <input type="checkbox"/> Conditional Use Permit       |
| <input type="checkbox"/> Final Plat*       | <input type="checkbox"/> Concept Plan        | <input type="checkbox"/> Landscape Plan               |
| <input type="checkbox"/> Replat*           | <input type="checkbox"/> Overlay District    | <input type="checkbox"/> Treescape Plan               |
| <input type="checkbox"/> Vacation of Plat  | <input type="checkbox"/> Building Elevations | <input checked="" type="checkbox"/> Zoning / Land Use |

## H2005-005 925 N Goliad (Landmark)

Addition Name: Garner Current Zoning: SF-7

Proposed Zoning: Historic Landmark No. Of Acres: No. Of Tracts: 2 No. Of Units: 1

General Location of Property (or) Address: 925 North Goliad

### Proposed Use for Property:

Hold a public hearing to consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" with in the Historic survey.

Owner's Name: Nathan Cade

Applicant's Name: City of Rockwall

Company: \_\_\_\_\_

Company: Planning and Zoning Department

Address: 306 N Hamilton

Address: 385 South Goliad

City, State, Zip: Farmersville TX, 75442

City, State, Zip: Rockwall, Texas 75087

Phone: 972-784-7316 Fax #: \_\_\_\_\_

Phone: (972) 771-7745 Fax #: (972) 771-7748

*BEFORE ME*, a Notary Public, on this day personally appeared \_\_\_\_\_ the undersigned applicant, who stated the information on this application to be true:

"I hereby certify that I am the owner, or duly authorized agent of the owner, for the purposes of this application; all information submitted herein is true and correct; and the application fee of \$ n/a to cover the cost of this application, has been paid to the City of Rockwall on This \_\_\_\_\_ day of \_\_\_\_\_ of \_\_\_\_\_.

\_\_\_\_\_  
*Applicant Signature*

SUBSCRIBED AND SWORN TO before me, this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
*My Commission Expires*

\_\_\_\_\_  
*Notary Public in & for the State of Texas*

This Application Will Not Be Accepted Without Engineering Submittal On File If Engineering Is Required

**House Bill 1563, Effective September 1, 1999.**

**Requires An Original Tax Certificate From Each Taxing Unit Indicating That No Delinquent Ad Valorem Taxes Are Owed On The Property To be Attached To The Plat Or Replat.**

Please place a check mark on the appropriate line below:

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

24

I am opposed to the request for the reasons listed below

*it is one of the oldest Homes in Rockwall  
and I would hate to see it become  
an Business and have a bunch of  
Trash Bins behind it because I live behind it*

Your Name: *Juanita Crisp*

Rockwall Property Address: *925 N. Alamo*

- Please see Location Map of Subject Property on the back of this notice -

**CITY OF ROCKWALL**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL AS HERETOFORE AMENDED BY AMENDING ARTICLE V, SECTION 6.2 HISTORIC OVERLAY DISTRICT TO PROVIDE FOR GENERAL PROVISIONS AND REQUIREMENTS FOR THE DESIGNATION OF A LANDMARK DISTRICT KNOWN AS THE HISTORIC "CADE HOME", BEING 925 N. GOLIAD, BLOCK PART 32, GARNER ADDITION; AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; 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**, a city initiated request for the property known as Block Part 32, Garner Addition (925 N. Goliad) further described in the attached Exhibit "A" for designation of the said tract as a Landmark District know as the Historic "Cade Home" as defined in City of Rockwall Unified Development Code (Ord. No. 04-38); Article V, Section 6.2 Historic Overlay District;

**WHEREAS**, the City of Rockwall Historic Preservation Advisory Board, 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 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 (Ord. No. 04-38), as heretofore amended, be amended by the designation of a Landmark Property known as the Historic "Cade Home" Landmark District, being Block Part 32, Garner Addition (925 N. Goliad) further described in the attached Exhibit "A" as set forth in Article V, Section 6.2 Historic Overlay District of the Unified Development Code (Ord. No. 04-38). The Design Guidelines of the Old Town Rockwall Historic District; Exhibit "B" of City of Rockwall Ordinance No. 02-26, which served to establish the inaugural Historic District, shall apply in their entirety to the development and restoration of the aforementioned subject property further described in Exhibit "A".

**Section 2.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**Section 3.** 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 4.** 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 No. 04-38 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.

**Section 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this \_\_\_\_\_ day of \_\_\_\_\_, 2005.**

\_\_\_\_\_  
Bill Cecil, Mayor

**ATTEST:**

\_\_\_\_\_  
Dorothy Brooks, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Pete Eckert, City Attorney

1st Reading: \_\_\_\_\_

2nd Reading: \_\_\_\_\_

## Exhibit "A"

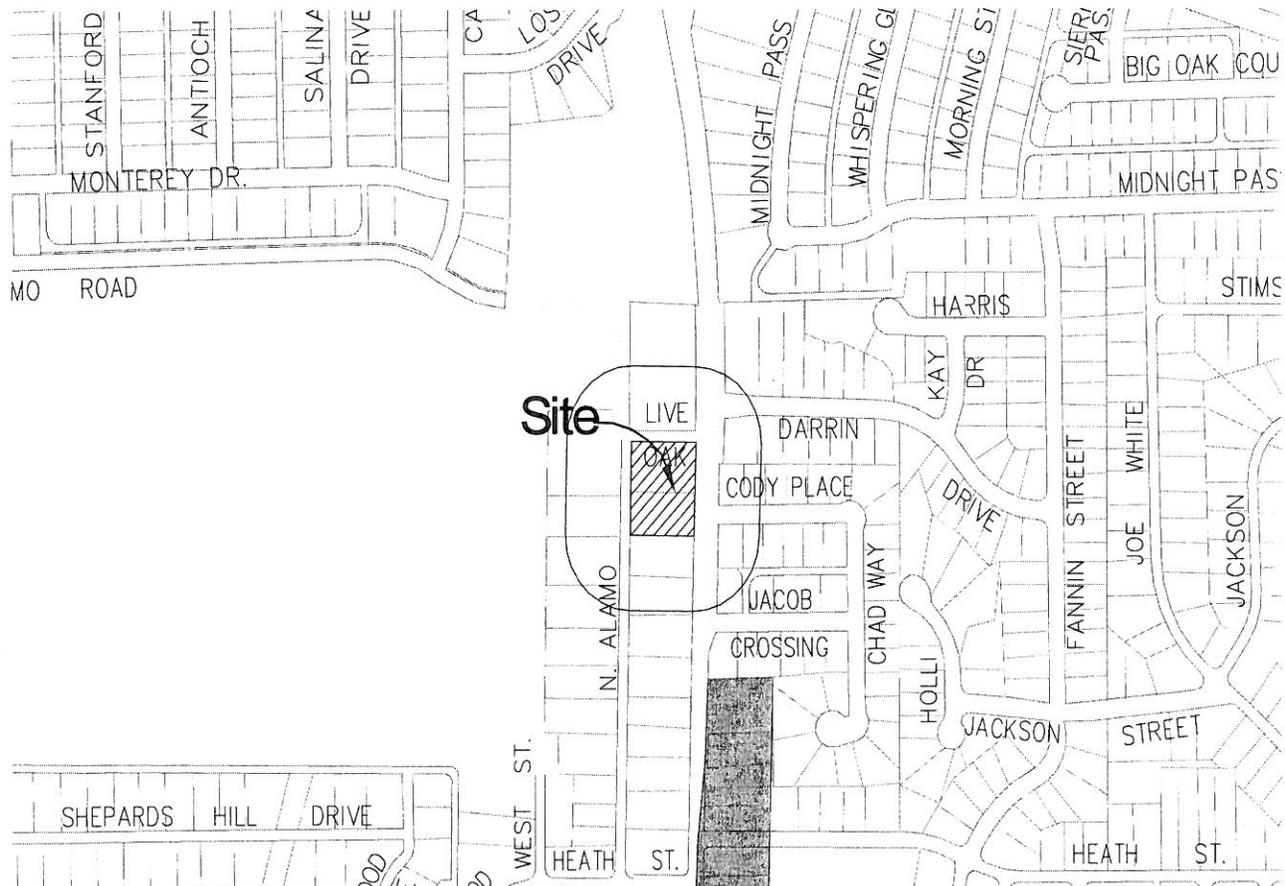
Beginning at a 1/2-inch diameter red plastic cap stamped "RPLS 4888" set at the intersection of the West line of Goliad Street N. (State Highway 205), with the South line of Live Oak Street, a 40 foot wide right-of-way, said point being the Northeast corner of said Cade land;

Thence South, along said West line, a distance of 212.03 feet to a 1/2-inch diameter iron rod with a red plastic cap stamped "RPLS 4888" set at Southeast corner of said Cade land;

Thence South 89 deg. 33 min. 54 sec. West, a distance of 205.96 feet to a 1/2-inch diameter iron rod with a red plastic cap stamped "RPLS 488" set at the Southwest corner of said Cade land, said point being in the East line of Alamo Street;

Thence North 00 deg. 24 min. 23 sec. East, along said East line, a distance of 214.22 feet to a 1/2-inch diameter iron pipe found at the Northwest corner of said Cade land, said point being the intersection of said East line of Alamo Street with said South line of Live Oak Street;

Thence South 89 deg. 49 min. 33 sec. East, along said South line, a distance of 204.43 feet to the PLACE OF BEGINNING and containing 1.004 acres of land.



## **Exhibit "B"**

# **APPENDIX D. HISTORIC PRESERVATION GUIDELINES**

### **Introduction**

These Guidelines have been compiled for the residents and property owners of City of Rockwall designated historic properties located within the Old Town Rockwall Historic District. The preservation, rehabilitation and adaptive reuse of old buildings contribute to the community aesthetically and economically. Rehabilitation is often less expensive than demolition or new construction. This guide was created to aid property owners in rehabilitating and maintaining their property in order to assist the City of Rockwall and the Old Town Rockwall residents in their effort of "Preserving the Past for the Future."

### **City of Rockwall Historic Preservation Advisory Board**

The City of Rockwall Historic Preservation Advisory Board was created June 17, 1991 (Ordinance 91-25, Section 2.20.C.2. and Ordinance No. 92-25) to serve as an advisory body to the City Council. The seven members of the Board are appointed for a term of two years by the City Council. Functions of the Advisory Board include maintaining the Historic District Register and reviewing applications for construction, alteration, removal, or demolition affecting proposed or designated historic district properties, and approving or denying Certificates of Appropriateness.

### **Purpose**

The City Council of the City of Rockwall, Texas declared that as a matter of public policy the protection, enhancement and perpetuation of districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational and general welfare of the public. It is recognized that numerous areas, sites and structures within the City of Rockwall represent the distinguishing characteristics of a period style or method of construction that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. Therefore this policy is intended to:

1. Protect, identify and enhance distinctive historical and architectural characteristics and landmarks, which represent distinctive cultural, social, economic, political, and architectural history of Rockwall;
2. Foster civic pride in the accomplishments of the past;
3. Protect and enhance Rockwall's attractiveness to visitors and the support and stimulus to the economy thereby provided;
4. Insure the harmonious, orderly and efficient growth and development of the City;
5. Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the City;
6. Stabilize and improve values of such properties; and,
7. Promote education of significance and importance of historical preservation including the exploration of tax incentives (federal, state or local) that may apply to individual property owners or properties within the historic district as a whole; and,
8. Provide guidance to property owners restoring and/or rehabilitating historic significant properties with discretion and flexibility in an effort to maintain the historical integrity of the area with a corresponding understanding of the economic realities of these types of restorative efforts.

## Definitions

**'Alteration'** means any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, exterior remodeling, painting, or removal of any structure.

**'Applicable Property'/'Applicable Structure'** are the terms used for properties that meet the following criteria, and are subject to the provisions of the historic district ordinance and these Guidelines:

- a. **Either be a designated historical landmark or be wholly or partially located within a designated historic district,**
- AND**
- b. **Either be a contributing property as defined in Section B or be located within 200 feet of a contributing property.**

**'Buffer yard'** means the ten (10) foot landscape buffer that is generally required along the street frontage adjacent to a commercially-developed property as per the City of Rockwall Landscape Ordinance 88-28.

**'Certificate of Appropriateness'** means a signed and dated document evidencing the approval for work proposed by an owner or applicant.

**'Contributing Structure'** means a building, site, structure or object which adds to the historical architectural qualities, historical associations or archaeological value for which a property or district is significant because it was present during the period of significance. It also possesses historical integrity reflecting its character at that time or is capable of yielding important information about the period, or it independently meets the National Register criteria. The level by which a property is "contributing" (high-, medium- and low-contributing property) was originally determined by a historic survey of the properties within the (HO) Historic Overlay District implemented by the City of Rockwall Community Development Department through the spring and summer of 2000.

**'Demolition'** means an act or process (notwithstanding acts of God, criminal activity, etc.) which destroys a site or structure in its entirety, or which destroys a part of a site or structure and permanently impairs its structural, historic or architectural integrity.

**'Design Guidelines'** are the Guidelines in this document which are adopted by the Historic Preservation Advisory Board and City Council for property designated as a heritage resource or heritage resource district to protect, perpetuate and enhance the historical, cultural, architectural or archeological character of an object, site or structure.

**'District'** means a designated area within the Preservation District or elsewhere in the City subject to the requirements and standards of the Historic District Ordinance. An identifying name will precede the word "district."

**'Fenestration'** means the arrangement, proportioning, and design of windows and doors in a structure.

**'Hearing'** see *Public Hearing*.

**'Board' or 'Historic Preservation Advisory Board'** means the Historic Preservation Advisory Board of the City of Rockwall, Texas, established in accordance with the Comprehensive Zoning Ordinance No. 91-25 and 92-25 of the City of Rockwall.

**'Routine Maintenance'** means any work to correct deterioration or decay of or damage to a structure or property, or any part thereof, and to restore it as nearly as practicable, to its condition, using the same materials or those materials available which are as close as possible to the original. The materials and manner the work is performed must comply with applicable codes and ordinances. Routine maintenance does not include a change in design, material or outward appearance, but does include in-kind replacement or repair. Examples of routine maintenance include, but are not limited to: repainting, replacement of roofing materials or other minor architectural features, etc.

**'Secretary of the Interior's Standards for Rehabilitation'** means the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, reported at 36 Code of Federal Regulations 67.7, or as recodified.

**'Stabilization'** means the act or process of applying measures designed to re-establish a weather resistant enclosure and the structural stability of an unsafe or deteriorated structure or property while maintaining the essential form as it presently exists.

**'Structure'** means anything constructed or erected, the use of which requires permanent or temporary location in the ground, including, but without limiting the generality of the foregoing; buildings, fences, gazebos, advertising signs, billboards, backstops for sports courts or fields, radio or television antenna, including supporting towers, and swimming pools.

**A. Height**

All new buildings and additions shall be constructed to a height and number of stories which are consistent and compatible with existing neighboring historic buildings or structures on the same block face.

**B. Building Setback and Orientation**

1. All new additions, alterations, infill and new infill construction should recognize and maintain the established historic home site orientation, and side and front side setbacks within the block face, thereby being visually compatible and maintaining the established rhythm and setback spacing.
2. Consideration will be given to the historic precedence for previous site configuration. Out buildings such as garages and storage buildings are historically set upon the lot line in this District, therefore this configuration is proper.
3. New structures should be built to maintain an elevation with a "pier-and-beam" appearance.
4. A new commercial structure should not be oriented toward a residential block face. Residential block for new construction is defined as a block face having at least fifty percent (50%) residential use at the time the new structure is proposed.

**C. Building Facades and Materials**

In cases where the original exterior façade materials are unavailable, complementary exterior materials may be used.

1. All exterior wood and masonry materials and their use should be compatible to the style and period of the building or structure.
2. The existing building facade materials on a building should be respected and not be changed or concealed by the introduction of a different material.
3. When the existing facade materials are not the original type, then materials may be replaced with, or returned to the original type.
4. Exterior building columns should be of a style and materials typical of the period and style of the building.
5. All new chimneys should be of a style, proportion and materials compatible with the period and style of the building. Any new construction or additions should not conceal or destroy existing chimneys.
6. Materials, structural and decorative elements and the manner in which they are used, applied or joined together should be typical of the style and period of the existing structure. New additions, alterations and new construction should be visually compatible with neighboring historic buildings or structures.
7. The overall relationship of the size, width, height and number of doors and windows on the exterior building facades should be typical of the style and period of the structure. These elements should be proportionally balanced, sized and located in a manner typical of the style and period of the structure and compatible with neighboring historic buildings or structures.
8. Storm doors and storm windows are permitted so long as they do not

of the lot, extending from the front yard to the rear yard.

2. Unless previously used for a driveway, the side yard shall be used for landscaping with the purpose of enhancing the structures with plant material.
3. Parking of vehicles on the side yard will not be allowed, except on paved driveways as outlined in Section I.

#### **G. Rear Yards**

1. The rear yard is the area extending across the full width of the lot and measured between the rear lot line and rear line of the main building.
2. Garages, storage buildings and out buildings are allowed in the rear yard to the extent permitted by City of Rockwall Zoning Ordinances. These structures should reflect the character of the existing residence and be compatible in terms of scale, height, size, roof shape, materials and detailing.
3. Consideration should be given to the historic precedence for previous site configuration. Outbuildings such as garages and storage buildings are historically set upon the lot line in this Historic District. This configuration is proper for new additions, alterations, infill and new infill construction. The location of these buildings should be sensitive to the character, site and environment of any adjacent contributing structures, especially when the rear yard is on a corner lot visible from street public rights-of-way.

#### **H. Fences**

A fence in the front, side, or rear yards should meet all applicable city codes. Most fences require only a fence permit; however, a fence requiring a building permit will also be reviewed and approved by the Board. Any fence that requires review must be architecturally compatible in height, materials, color, texture and design with the style and period of the main structure on the lot.

#### **I. Driveways**

1. The purpose of the driveway shall be to create a paved surface for the movement of vehicles to parking areas. The driveway is defined as the paved area within the property line extending from the back of the sidewalk or lot line to the garage, out building or porte cochere.
2. The driveway should not exceed a width of ten (10) feet.
3. The driveway may extend along the side of the residence or structure, through the porte cochere (if applicable) to the rear yard.
4. Front or side yard circular driveways will not be allowed, unless consistent with the historic character or features of the property or nearby contributing properties.
5. On a corner lot, the driveway may extend from the side street to the garage if the garage is faces the side street. All other width and approach regulations will apply to driveways on corner lots.
6. Ribbon driveways are allowed if the paved ribbons are at least one (1) foot wide, and no greater than two (2) feet wide.
7. Any new driveway constructed through a front yard should be a minimum of ten (10) feet from an existing driveway on the adjacent lot, except in the instances of "shared" driveways.

residence may be attached or detached and should not measure more than one square foot.

2. Signs should not obscure significant architectural features of a building or structure. The material, shape, color, design and lettering style of all signs should be compatible with the style and period of the structure and the Historic District as a whole.

**O. Signage for Commercial Properties**

1. No signs other than those identifying the property where they are installed or identifying the business conducted therein should be permitted. All lighting elements such as wires, junction boxes, transformers, ballasts, switches and panel boxes should be concealed from view.
2. In a building of more than two floors, no sign is permitted above the second floor.
3. Size should be in proportion to the architecture and scale of the building. Horizontal signs should not exceed ten percent (10%) of the total front elevation of the building.
4. Horizontal signs should be located in the area defined by the first floor cornice and the vertical supports. A horizontal sign should not cover tops of first floor windows. Horizontal signs should not project more than twelve (12) inches from the surface of the building.
  - a. Attached signs should be placed below the cornice line of the first floor no higher than the bottom of the second story windows, or not less than eleven (11) feet above grade level. An awning or canopy should be subjected to the same requirements as an attached sign. An awning or canopy and an attached sign combined should not exceed the total area permitted for a wall sign.
  - b. Projecting signs should not extend higher than the bottom of the second story windows or not less than eleven (11) feet above grade level. Projecting signs should not extend more than two feet beyond the building surface.
5. Lighted signs will receive approval from the City of Rockwall Historic Preservation Advisory Board on a case-by-case basis.
6. Roof top signs are not permitted. Banners signs are permitted for thirty (30) days and "special event" banners are allowed for two (2) weeks. The City of Rockwall Sign Ordinance requires permits for banners.
7. Flashing, flickering or moving signs are not permitted. → CHANGE MESSAGE
8. Temporary signs may be permitted for no longer than thirty (30) days.
9. Display window signs will not occupy more than twenty percent (20%) of the window area. This window area includes signs, which are placed within three (3) feet of the window and visible from the outside.
10. Signs on a residential structure converted to commercial should be a single free-standing and/or "swinging" sign with one or two support standards. The maximum size is sixteen (16) square feet and it should not impede pedestrian or motor vehicle traffic. Monument signs should not be permitted. Detached signs will be approved the City of Rockwall Historic Preservation Advisory Board on a case-by-case basis.

## VII. DEMOLITION-BY-NEGLECT

Although the Property Maintenance Code should prevent this situation from occurring in the future, there may be some properties to which this section could apply.

### A. Definition

Demolition-by-neglect is the absence of maintenance of any structure that results in the deterioration and threatens the preservation of the structure.

### B. Purpose

The demolition-by-neglect procedure serves as a mechanism that allows the City Staff and the Historic Preservation Advisory Board to work with property owners to encourage maintenance and stabilization of the structure and identify possible resources available before any enforcement is taken.

### C. Request for Investigation

Any interested party may request that the Historic Preservation Officer or appropriate City investigate whether a property is being "demolished-by-neglect."

### D. Certification and Notice

Following the investigation, a report will be made detailing the issues and a determination made whether to follow steps required to secure a "Certificate of Appropriateness" or to follow the procedure under the Property Maintenance Code.

## VIII. HISTORIC TREES

In addition to the protection offered our trees through the City of Rockwall "Tree Preservation" Ordinance, individual trees located on an historic property which are considered historic landmarks in our community may be registered as "Historic Trees." The Registry Application in Exhibit 1 should be completed and submitted to the Historic Preservation Officer to forward to the Board Chairman.

A registered tree will not be removed under any circumstances unless the tree becomes unhealthy or damaged. The "Historic Trees" will be listed within an Appendix "C" to be attached to these Guidelines.

PUBLIC

- Public Notice -

THE STATE OF TEXAS  
COUNTY OF ROCKWALL

Before me, the undersigned authority, *Michael Gresham* deposes and says that he is the Publisher of *Rockwall News* Section 2051.044 of the Texas Government Code.

- 1. it devotes not less than twenty-five percent of its total column lineage to general information;
- 2. it is published at least once each week;
- 3. it is entered as second-class postal matter at the office where it is published;
- 4. it has been published regularly and continuously since 1985; and
- 5. it is generally circulated within Rockwall County.

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

July 27<sup>th</sup>  
*Michael Gresham*

Michael Gresham  
Editor and Publisher

SUBSCRIBED AND SWORN BEFORE

by Michael Gresham, who

- a) is personally known to me, or
- b) provided the following evidence to establish his/her identity.

on the 27<sup>th</sup> day of July, A.D. 2005  
to certify which witness my hand and seal of office.

*Patricia A. Shaw*

Notary Public, State of Texas



The City of Rockwall Planning and Zoning Commission will hold a public hearing on **Tuesday, August 9, 2005** at 6:00 p.m. in the Council Chambers at Rockwall City Hall, 385 South Goliad, Rockwall, Texas, and the Rockwall City Council will hold a public hearing on **Monday, August 15, 2005** at 6:00 p.m. in the Council Chambers at Rockwall City Hall, 385 South Goliad, Rockwall, Texas, to consider the following items:

**H2005-005**

Hold a public hearing and consider a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic survey.

**Z2005-029**

Hold a public hearing and consider a request by Austin Lewis of Lewis Real Estate Investments to amend (PD-8) Planned Development district, specifically on a vacant, 6.889-acre tract comprised of Spyglass Hill #4 Addition (4.324-acres) and Tract 134-12, Abstract 207, E. Teal Survey (2.564-acres), located along the south side of Henry M. Chandler Drive and immediately east of the Chandler's Landing Marina.

**Z2005-030**

Hold a public hearing and consider a request by Tim Thompson of Realty Capital Corporation for approval of a change in zoning from (Ag) Agricultural district to (PD) Planned Development district to accommodate development of a single-family residential community on 139.354-acres known as Tracts 1 and 7, Abstract 123, A. Johnson Survey and located along the north side of S FM 549, east of SH 205 and west of Lofland Lake.

**Z2005-031**

Hold a public hearing and consider a request from Sam Canup for a change in zoning from (SF-10) Single Family Residential district to (PD) Planned Development district for properties known as tracts 1, 10 and 11; Abstract No. 255, B J T Lewis Survey. The overall proposal is comprised of approximately 1.769-acres and includes the properties addressed as 902 & 906 S. Goliad Street and 904 S. Alamo Street.

All interested parties are encouraged to attend. Please contact the City of Rockwall Planning and Zoning staff at (972) 771-7745 with any questions.

**AGENDA**  
**ROCKWALL CITY COUNCIL**  
September 6, 2005  
6:00 p.m. Regular Meeting  
City Hall, 385 S. Goliad, Rockwall, Texas 75087

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**5. CONSENT AGENDA**

- d. Consider approval of an **Ordinance** for a city initiated request for a Historic Landmark designation for the Cade House located at 925 N. Goliad. The tract is zoned (SF-7) Single Family and is located outside of the Old Rockwall Historic District and identified as a "High Contributing Property" within the Historic survey and take any action necessary. **[2<sup>nd</sup> Reading]**

CITY OF ROCKWALL

ORDINANCE NO. 05-43

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (ORD. NO. 04-38) OF THE CITY OF ROCKWALL, AS PREVIOUSLY AMENDED, BY AMENDING ARTICLE V, SECTION 6.2 HISTORIC OVERLAY DISTRICT TO PROVIDE FOR GENERAL PROVISIONS AND REQUIREMENTS FOR THE DESIGNATION OF A LANDMARK DISTRICT KNOWN AS THE HISTORIC "CADE HOME", BEING 925 N. GOLIAD, BLOCK PART 32, GARNER ADDITION; AND MORE SPECIFICALLY DESCRIBED HEREIN AS EXHIBIT "A"; 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**, a city initiated request for the property known as Block Part 32, Garner Addition (925 N. Goliad) further described in the attached Exhibit "A" for designation of the said tract as a Landmark District know as the Historic "Cade Home" as defined in City of Rockwall Unified Development Code (Ord. No. 04-38); Article V, Section 6.2 Historic Overlay District;

**WHEREAS**, the City of Rockwall Historic Preservation Advisory Board, 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 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 (Ord. No. 04-38), as heretofore amended, be amended by the designation of a Landmark Property known as the Historic "Cade Home" Landmark District, being Block Part 32, Garner Addition (925 N. Goliad) further described in the attached Exhibit "A" as set forth in Article V, Section 6.2 Historic Overlay District of the Unified Development Code (Ord. No. 04-38). The Design Guidelines of the Old Town Rockwall Historic District; Exhibit "B" of City of Rockwall Ordinance No. 02-26, which served to establish the inaugural Historic District, shall apply in their entirety to the development and restoration of the aforementioned subject property further described in Exhibit "A".

**Section 2.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**Section 3.** 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 4.** 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 No. 04-38 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.

**Section 5.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, this 6<sup>TH</sup> day of September, 2005.**

\_\_\_\_\_  
**William R. Cecil, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Dorothy Brooks, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Pete Eckert, City Attorney**

**1<sup>st</sup> Reading: 08-15-05**

**2<sup>nd</sup> Reading: 09-06-05**

## Exhibit "A"

Beginning at a 1/2-inch diameter red plastic cap stamped "RPLS 4888" set at the intersection of the West line of Goliad Street N. (State Highway 205), with the South line of Live Oak Street, a 40 foot wide right-of-way, said point being the Northeast corner of said Cade land;

Thence South, along said West line, a distance of 212.03 feet to a 1/2-inch diameter iron rod with a red plastic cap stamped "RPLS 4888" set at Southeast corner of said Cade land;

Thence South 89 deg. 33 min. 54 sec. West, a distance of 205.96 feet to a 1/2-inch diameter iron rod with a red plastic cap stamped "RPLS 488" set at the Southwest corner of said Cade land, said point being in the East line of Alamo Street;

Thence North 00 deg. 24 min. 23 sec. East, along said East line, a distance of 214.22 feet to a 1/2-inch diameter iron pipe found at the Northwest corner of said Cade land, said point being the intersection of said East line of Alamo Street with said South line of Live Oak Street;

Thence South 89 deg. 49 min. 33 sec. East, along said South line, a distance of 204.43 feet to the PLACE OF BEGINNING and containing 1.004 acres of land.



## **Exhibit "B"**

# **APPENDIX D. HISTORIC PRESERVATION GUIDELINES**

### **Introduction**

These Guidelines have been compiled for the residents and property owners of City of Rockwall designated historic properties located within the Old Town Rockwall Historic District. The preservation, rehabilitation and adaptive reuse of old buildings contribute to the community aesthetically and economically. Rehabilitation is often less expensive than demolition or new construction. This guide was created to aid property owners in rehabilitating and maintaining their property in order to assist the City of Rockwall and the Old Town Rockwall residents in their effort of "Preserving the Past for the Future."

### **City of Rockwall Historic Preservation Advisory Board**

The City of Rockwall Historic Preservation Advisory Board was created June 17, 1991 (Ordinance 91-25, Section 2.20.C.2. and Ordinance No. 92-25) to serve as an advisory body to the City Council. The seven members of the Board are appointed for a term of two years by the City Council. Functions of the Advisory Board include maintaining the Historic District Register and reviewing applications for construction, alteration, removal, or demolition affecting proposed or designated historic district properties, and approving or denying Certificates of Appropriateness.

### **Purpose**

The City Council of the City of Rockwall, Texas declared that as a matter of public policy the protection, enhancement and perpetuation of districts of historical and cultural importance and significance is necessary to promote the economic, cultural, educational and general welfare of the public. It is recognized that numerous areas, sites and structures within the City of Rockwall represent the distinguishing characteristics of a period style or method of construction that shaped the identity of generations of citizens, collectively and individually, and produced significant historic, architectural and cultural resources that constitute their heritage. Therefore this policy is intended to:

1. Protect, identify and enhance distinctive historical and architectural characteristics and landmarks, which represent distinctive cultural, social, economic, political, and architectural history of Rockwall;
2. Foster civic pride in the accomplishments of the past;
3. Protect and enhance Rockwall's attractiveness to visitors and the support and stimulus to the economy thereby provided;
4. Insure the harmonious, orderly and efficient growth and development of the City;
5. Promote economic prosperity and welfare of the community by encouraging the most appropriate use of such property within the City;
6. Stabilize and improve values of such properties; and,
7. Promote education of significance and importance of historical preservation including the exploration of tax incentives (federal, state or local) that may apply to individual property owners or properties within the historic district as a whole; and,
8. Provide guidance to property owners restoring and/or rehabilitating historic significant properties with discretion and flexibility in an effort to maintain the historical integrity of the area with a corresponding understanding of the economic realities of these types of restorative efforts.

## Definitions

**'Alteration'** means any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, exterior remodeling, painting, or removal of any structure.

**'Applicable Property'/'Applicable Structure'** are the terms used for properties that meet the following criteria, and are subject to the provisions of the historic district ordinance and these Guidelines:

- a. **Either be a designated historical landmark or be wholly or partially located within a designated historic district,**

**AND**

- b. **Either be a contributing property as defined in Section B or be located within 200 feet of a contributing property.**

**'Buffer yard'** means the ten (10) foot landscape buffer that is generally required along the street frontage adjacent to a commercially-developed property as per the City of Rockwall Landscape Ordinance 88-28.

**'Certificate of Appropriateness'** means a signed and dated document evidencing the approval for work proposed by an owner or applicant.

**'Contributing Structure'** means a building, site, structure or object which adds to the historical architectural qualities, historical associations or archaeological value for which a property or district is significant because it was present during the period of significance. It also possesses historical integrity reflecting its character at that time or is capable of yielding important information about the period, or it independently meets the National Register criteria. The level by which a property is "contributing" (high-, medium- and low-contributing property) was originally determined by a historic survey of the properties within the (HO) Historic Overlay District implemented by the City of Rockwall Community Development Department through the spring and summer of 2000.

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**'Hearing'** see *Public Hearing*.

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**'Stabilization'** means the act or process of applying measures designed to re-establish a weather resistant enclosure and the structural stability of an unsafe or deteriorated structure or property while maintaining the essential form as it presently exists.

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All new buildings and additions shall be constructed to a height and number of stories which are consistent and compatible with existing neighboring historic buildings or structures on the same block face.

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1. All new additions, alterations, infill and new infill construction should recognize and maintain the established historic home site orientation, and side and front side setbacks within the block face, thereby being visually compatible and maintaining the established rhythm and setback spacing.
2. Consideration will be given to the historic precedence for previous site configuration. Out buildings such as garages and storage buildings are historically set upon the lot line in this District, therefore this configuration is proper.
3. New structures should be built to maintain an elevation with a "pier-and-beam" appearance.
4. A new commercial structure should not be oriented toward a residential block face. Residential block for new construction is defined as a block face having at least fifty percent (50%) residential use at the time the new structure is proposed.

**C. Building Facades and Materials**

In cases where the original exterior façade materials are unavailable, complementary exterior materials may be used.

1. All exterior wood and masonry materials and their use should be compatible to the style and period of the building or structure.
2. The existing building facade materials on a building should be respected and not be changed or concealed by the introduction of a different material.
3. When the existing facade materials are not the original type, then materials may be replaced with, or returned to the original type.
4. Exterior building columns should be of a style and materials typical of the period and style of the building.
5. All new chimneys should be of a style, proportion and materials compatible with the period and style of the building. Any new construction or additions should not conceal or destroy existing chimneys.
6. Materials, structural and decorative elements and the manner in which they are used, applied or joined together should be typical of the style and period of the existing structure. New additions, alterations and new construction should be visually compatible with neighboring historic buildings or structures.
7. The overall relationship of the size, width, height and number of doors and windows on the exterior building facades should be typical of the style and period of the structure. These elements should be proportionally balanced, sized and located in a manner typical of the style and period of the structure and compatible with neighboring historic buildings or structures.
8. Storm doors and storm windows are permitted so long as they do not

of the lot, extending from the front yard to the rear yard.

2. Unless previously used for a driveway, the side yard shall be used for landscaping with the purpose of enhancing the structures with plant material.
3. Parking of vehicles on the side yard will not be allowed, except on paved driveways as outlined in Section I.

**G. Rear Yards**

1. The rear yard is the area extending across the full width of the lot and measured between the rear lot line and rear line of the main building.
2. Garages, storage buildings and out buildings are allowed in the rear yard to the extent permitted by City of Rockwall Zoning Ordinances. These structures should reflect the character of the existing residence and be compatible in terms of scale, height, size, roof shape, materials and detailing.
3. Consideration should be given to the historic precedence for previous site configuration. Outbuildings such as garages and storage buildings are historically set upon the lot line in this Historic District. This configuration is proper for new additions, alterations, infill and new infill construction. The location of these buildings should be sensitive to the character, site and environment of any adjacent contributing structures, especially when the rear yard is on a corner lot visible from street public rights-of-way.

**H. Fences**

A fence in the front, side, or rear yards should meet all applicable city codes. Most fences require only a fence permit; however, a fence requiring a building permit will also be reviewed and approved by the Board. Any fence that requires review must be architecturally compatible in height, materials, color, texture and design with the style and period of the main structure on the lot.

**I. Driveways**

1. The purpose of the driveway shall be to create a paved surface for the movement of vehicles to parking areas. The driveway is defined as the paved area within the property line extending from the back of the sidewalk or lot line to the garage, out building or porte cochere.
2. The driveway should not exceed a width of ten (10) feet.
3. The driveway may extend along the side of the residence or structure, through the porte cochere (if applicable) to the rear yard.
4. Front or side yard circular driveways will not be allowed, unless consistent with the historic character or features of the property or nearby contributing properties.
5. On a corner lot, the driveway may extend from the side street to the garage if the garage is faces the side street. All other width and approach regulations will apply to driveways on corner lots.
6. Ribbon driveways are allowed if the paved ribbons are at least one (1) foot wide, and no greater than two (2) feet wide.
7. Any new driveway constructed through a front yard should be a minimum of ten (10) feet from an existing driveway on the adjacent lot, except in the instances of "shared" driveways.

residence may be attached or detached and should not measure more than one square foot.

2. Signs should not obscure significant architectural features of a building or structure. The material, shape, color, design and lettering style of all signs should be compatible with the style and period of the structure and the Historic District as a whole.

**O. Signage for Commercial Properties**

1. No signs other than those identifying the property where they are installed or identifying the business conducted therein should be permitted. All lighting elements such as wires, junction boxes, transformers, ballasts, switches and panel boxes should be concealed from view.
2. In a building of more than two floors, no sign is permitted above the second floor.
3. Size should be in proportion to the architecture and scale of the building. Horizontal signs should not exceed ten percent (10%) of the total front elevation of the building.
4. Horizontal signs should be located in the area defined by the first floor cornice and the vertical supports. A horizontal sign should not cover tops of first floor windows. Horizontal signs should not project more than twelve (12) inches from the surface of the building.
  - a. Attached signs should be placed below the cornice line of the first floor no higher than the bottom of the second story windows, or not less than eleven (11) feet above grade level. An awning or canopy should be subjected to the same requirements as an attached sign. An awning or canopy and an attached sign combined should not exceed the total area permitted for a wall sign.
  - b. Projecting signs should not extend higher than the bottom of the second story windows or not less than eleven (11) feet above grade level. Projecting signs should not extend more than two feet beyond the building surface.
5. Lighted signs will receive approval from the City of Rockwall Historic Preservation Advisory Board on a case-by-case basis.
6. Roof top signs are not permitted. Banners signs are permitted for thirty (30) days and "special event" banners are allowed for two (2) weeks. The City of Rockwall Sign Ordinance requires permits for banners.
7. Flashing, flickering or moving signs are not permitted. → CHANGE MESSAGE
8. Temporary signs may be permitted for no longer than thirty (30) days.
9. Display window signs will not occupy more than twenty percent (20%) of the window area. This window area includes signs, which are placed within three (3) feet of the window and visible from the outside.
10. Signs on a residential structure converted to commercial should be a single free-standing and/or "swinging" sign with one or two support standards. The maximum size is sixteen (16) square feet and it should not impede pedestrian or motor vehicle traffic. Monument signs should not be permitted. Detached signs will be approved the City of Rockwall Historic Preservation Advisory Board on a case-by-case basis.

## VII. DEMOLITION-BY-NEGLECT

Although the Property Maintenance Code should prevent this situation from occurring in the future, there may be some properties to which this section could apply.

### A. Definition

Demolition-by-neglect is the absence of maintenance of any structure that results in the deterioration and threatens the preservation of the structure.

### B. Purpose

The demolition-by-neglect procedure serves as a mechanism that allows the City Staff and the Historic Preservation Advisory Board to work with property owners to encourage maintenance and stabilization of the structure and identify possible resources available before any enforcement is taken.

### C. Request for Investigation

Any interested party may request that the Historic Preservation Officer or appropriate City investigate whether a property is being "demolished-by-neglect."

### D. Certification and Notice

Following the investigation, a report will be made detailing the issues and a determination made whether to follow steps required to secure a "Certificate of Appropriateness" or to follow the procedure under the Property Maintenance Code.

## VIII. HISTORIC TREES

In addition to the protection offered our trees through the City of Rockwall "Tree Preservation" Ordinance, individual trees located on an historic property which are considered historic landmarks in our community may be registered as "Historic Trees." The Registry Application in Exhibit 1 should be completed and submitted to the Historic Preservation Officer to forward to the Board Chairman.

A registered tree will not be removed under any circumstances unless the tree becomes unhealthy or damaged. The "Historic Trees" will be listed within an Appendix "C" to be attached to these Guidelines.