NOTICE AND AGENDA OF REGULAR CALLED MEETING
HEATH PLANNING & ZONING COMMISSION
200 LAURENCE DRIVE - HEATH, TX 75032
TUESDAY, AUGUST 6, 2024 at 6:30 PM

1. Call to Order

2. Public Comment

This is an opportunity for the public to address the Planning and Zoning Commission on any matter, except public hearings included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Public comments are limited to three (3) minutes per speaker, unless the speaker requires the assistance of a translator, in which case the speaker is limited to six (6) minutes, in accordance with applicable law. To address the Commission, please sign in prior to the start of the meeting. Each speaker shall approach the podium and state his/her name and street address before speaking. Speakers shall address the governing body with civility that is conducive to appropriate public discussion. Speakers can address only the governing body and not individual city officials or employees. The public cannot speak from the gallery but only from the podium. The Commission is not permitted to take action on or discuss any item not listed on the agenda. The Commission may: (1) make a statement of fact regarding the item; (2) make a statement concerning the policy regarding the item; or (3) propose the item be placed on a future agenda. (Tex. Govt Code §551.042).

3. Items for Individual Consideration

3.a Receive Report Regarding the July 23, 2024 City Council Meetings and discussion of same.

3.b Discuss and Act on the Minutes of the Regular Meeting for July 2, 2024.

3.c Case No. CUP-2024-05: Conduct a Public Hearing and act on a Conditional Use Permit granting an exception to the Lake Edge Zoning District § 159.30 (A), Exhibit A, Section 1.01 "Fences" that prohibits fences within the Take Area on property addressed 301 Scenic Drive and further described as Lot 21, Antigua Bay, City of Heath, Rockwall County, Texas. Rockwall CAD No. 14064.

3.d Case No. FP-2024-05: Consider and act on the Final Plat of Fielding Addition containing one lot on 13.998 acres zoned (PD-SF) Planned Development for Single Family Residential Uses by Ordinance No. 190723B located at the intersection of Rabbit Ridge and Lowe Road and further described as A0231, A. Rodriquez Survey, Tract 12. Rockwall CAD No. 12919.

4. Executive Session

In accordance with Texas Government Code, Chapter 551, Subchapter D, the Planning and Zoning Commission will recess in Executive Session (closed meeting) to discuss the following:

4.a Section 551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding: (i) zoning and comprehensive plan standards and (ii) Case Nos. ZA-2024-01 and ZA-2024-03.

5. Reconvene into Open Session

In accordance with Texas Government Code, Chapter 551, the Planning and Zoning Commission will reconvene into Regular Session to consider action, if any, on matters discussed in Executive Session.

6. Items for Individual Consideration

6.a Case No. ZA-2024-01: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. (Rockwall CAD No. 12706)

6.b Case No. ZA-2024-03: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to (SF-43) Single Family Residential District on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. (Rockwall CAD No. 12706)

7. Adjourn

NOTE: The Planning and Zoning Commission reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (discussing purchase, exchange, lease or value of real property); §551.074 (discussing personnel or to hear complaints against personnel); and §551.087 (discussing economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Agenda Posted this 2nd day of August, 2024 at 5:00 p.m.

Norma Duncan

Norma Duncan, City Secretary

Heath City Hall will provide reasonable accommodations for persons attending meetings. Please contact the City Secretary at 972-771-6228 no later than 48 hours prior to a meeting if you require special assistance. Wi-Fi available in City Council Chambers - Password: Heath123

RECAP MINUTES
REGULAR CALLED MEETING
HEATH CITY COUNCIL
TUESDAY, JULY 23, 2024 at 6:30 PM

ATTENDING: JEREMIAH McCLURE, MAYOR
PAUL RUFFO, MAYOR PRO TEM
SHARON CALDWELL
SCOTT DODSON
RYAN MOORMAN
ABSENT: RICH KRAUSE
BRENT WEAVER

4.b Case No. ZA-2024-01: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to (PD-SF) Planned Development for SF-22 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. (Rockwall CAD No. 12706)

Assistant City Manager Aaron Adel stated that the Commission heard this case at their June 4, 2024 meeting and moved to table the item to their July 2, 2024 meeting. The applicant requested withdrawal but the Commission instead recommended denial with prejudice. A public hearing will be held tonight and the Council will take action on the SF-22 portion of the application. Per Section 159.80 (C)(1): The City Council shall, unless otherwise stated in the motion, make all denials of zone changes with prejudice. If the request is denied with prejudice, no additional application shall be accepted involving all or any part of the property within a period of 12 months except: a) at the request of the City Council; and b) on written request by the applicant to the City Council, with pertinent facts which the City Council may deem sufficient to warrant a new hearing. The request shall not be set for public hearing unless approved by a majority vote of the City Council. If a rehearing is granted by the City Council, then the procedure thereon will be the same as that given an original application for zoning change filed with the Commission.

HEARING to receive comments regarding the request.

Mayor McClure opened the public hearing at 6:58 p.m.

- Mike McClard, 217 Blue Heron – opposes SF22 and he would like to see more 3.0 estate lots. This property is the gateway of Heath an right now is the time to update the master plan to include estate lots on this property. Traffic and water are also a concern and he would like to see us step up our game and not just stay with the minimum one-acre lots.
- Michelle McCutcheon, 5414 FM 550 – does not understand the obsession of one-acre lots and continued demand for that type of development. It is narrow-minded thinking and forces aging citizens who have lived here for a long time to move away because they don't have a choice for smaller lots.
- Dale Ridenour, 419 Keystone Bend – personally feels like we shouldn't build anything until we fix the water situation. How can we provide water to the new developments when we have one day a week watering?
- Diane Dockins, 149 Country Club – opposes the half-acre lots but supports one-acre lots. One-acre lots allow young families to live here where many would not be able to afford a three-acre lot. We also need to consider the water issue before we build another 115 homes in Heath.

Mayor McClure closed the public hearing at 7:07 p.m.

The Commission continued discussion and stated that there is a Commissioner from P&Z in the audience that could clarify the Commission's decision to deny the case.

Mayor McClure re-opened the public hearing at 7:14 p.m.

- Thomas Bishop, 800 Britton Place – the Commission was not aware of what has been discussed tonight. If so, the vote would have been different. The Commission's intent was to to move SF-22 out and replace with a SF-43. SF-22 was denied with the expectation that the applicant could re-submit SF-43 and possibly a new alternative. Bishop recommended Option 3 to remove SF-22 and allow the process to move along.

Mayor McClure closed the public hearing at 7:17 p.m.

MOTION: DENY CASE NO. ZA-2024-01 WITHOUT PREJUDICE THE ALTERNATIVE NO. 1 PD APPLICATION WITH BASE SF-22 ZONING.

MOTION MADE:	DODSON
SECONDED:	KRAUSE
APPROVED:	PASSED UNANIMOUSLY BY THOSE PRESENT
ABSENT:	KRAUSE, WEAVER

4.c Case No. ZA-2024-02: Conduct a Public Hearing and act on an application to change the zoning classification from (A) Agricultural District to (PD-SF) Planned Development for (SF-Single Family Residential Uses for property addressed 6717 S FM 549 and further described as Tract 15, A. Rodriguez Survey, Abstract 231, City of Heath, Rockwall County, Texas. The zoning change aims to facilitate the creation of a residential subdivision to contain no more than twelve (12) residential lots measuring at least one developable acre. (Rockwall CAD No. 12922)

Assistant City Manager Aaron Adel stated that the Planning & Zoning Commission heard this case at their July 2, 2024 meeting and recommended denial without prejudice. The applicant has requested to withdraw their application. This is a Public Hearing tonight. The applicant has submitted a new concept plan under a new application and will be presented at the August meetings.
HEARING to receive comments regarding the request.

Mayor McClure opened the public hearing at 7:24 p.m.

- Ernie Burkett, 277 Terry Lane – that area, already existing for the religious institutions main highway I think its unfair the guy can't sell the house and building houses especially on one acres. I'm worried about the roads and water. Nice to consider it again.

McClure closed the public hearing at 7:29 p.m.

Discussion and action regarding the request.

MOTION: CASE NO. ZA-2024-02 TO ACCEPT THE WITHDRAWAL OF THE APPLICATION.

MOTION MADE:	DODSON
SECONDED:	CALDWELL
APPROVED:	PASSED UNANIMOUSLY BY THOSE PRESENT
ABSENT:	KRAUSE, WEAVER

4.d Case No. CUP-2024-04: Conduct a Public Hearing and act on an application for a Conditional Use Permit as required by the Heath Code of Ordinances, § 159.21 (B)(14) to allow a detached residential garage in the (SF-43) Single Family Residential District and grant a variance to § 159.21 (B)(14)(d) Maximum Size for a Single Accessory Structure of 900 square feet to permit a detached garage of 1,500 square feet on 0.992 acres of land described as Candlelite Park #2, Lot 11, and addressed as 513 Terry Lane. (Rockwall CAD No. 14795)

Assistant City Manager Aaron Adel stated that this case is a request for a CUP and square footage variance to construct a detached garage on a 0.992 acre lot located at 513 Terry Lane. Notices of Public Hearing were mailed on June 21, 2024 and nine responses returned in favor and two in opposition. The original application requested a 1,600 SF detached garage. The Planning and Zoning Commission recommended approval of reduced square footage to 1,200 SF. Following the P&Z meeting, the applicant reduced the size of the garage to 1,200 SF. All detached garages in the SF-43 District require

a CUP. The request complies with the Comprehensive Plan Future Land Use Map. The requested garage does not conform to §159.21(B)(14)(d) limiting the maximum size of an accessory structure to 900 SF. The applicant requests a Variance to allow an additional 300 SF. §159.21(B)(2) allows a CUP for accessory buildings that do not conform to the area requirements. The garage is 30 x 40 steel building, metal roof and siding, metal clad pedestrian door, metal garage doors, height not to exceed 19 feed, existing vegetation provided partial screening and the position of the building behind the home will block most of the visibility from Terry Lane.

HEARING to receive comments regarding the request.

Mayor McClure opened the public hearing at 7:42 p.m.

- Ernie Burkett, 277 Terry Lane – spoke in support and the garage is pleasing to the eyes.

Mayor McClure closed the public hearing at 7:44 p.m.

Discussion and action regarding the request.

The applicant was not present. Councilman Dodson recommended that the color of the proposed garage match the color of the house.

MOTION: APPROVE CUP-2024-04 FOR A 1200 SQ DETACHED GARAGE WITH A MATCHING FAÇADE WITH THE HOME.

MOTION MADE:	CALDWELL
SECONDED:	DODSON
APPROVED:	PASSED UNANIMOUSLY BY THOSE PRESENT
ABSENT:	KRAUSE, WEAVER

MINUTES
HEATH PLANNING & ZONING COMMISSION
TUESDAY, JULY 2, 2024 at 6:30 PM

ATTENDING: James Tunnell, Chairman
Wayne Gordon, Vice Chairman
Thomas Bishop
Harry Heinkele
Mike Rask
Joe Ruszkiewicz
Bob Shaw

Chairman James Tunnell called the meeting to order at 6:30 p.m.

2. Public Comment

No one signed in to speak at the open forum

3.a Receive Report Regarding the June 11, 2024 City Council Meetings and discussion of same.

Chairman Tunnell acknowledged receipt of the recap minutes of the June 11, 2024 Council Meeting regarding P&Z items covered at the June 4, 2024 Planning and Zoning meeting.

3.b Discussion and Action Regarding the Minutes of the June 4, 2024 Regular Meeting.

MOTION: APPROVE THE MINUTES OF THE JUNE 4, 2024 REGULAR MEETING.

MOTION MADE:	RUSZKIEWICZ
SECONDED:	BISHOP
APPROVED:	PASSED UNANIMOUSLY

3.c Case No. ZA-2024-01: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to either (PD-SF) Planned Development for SF-22 Single Family Residential Uses or (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. (Rockwall CAD No. 12706)

Assistant City Manager Aaron Adel stated that this item was first heard at the June 4th P&Z meeting. The Commission opened a Public Hearing and received community comments, then continued the public hearing and tabled the request to the July 2nd meeting. Developer Toll Brothers presented two concept plan options: Alternative One: PD-SF22 115 half-acre lots and Alternative Two: PD-SF43 115 one-acre lots. The applicant has requested a withdrawal of Alternative One PD-SF22 and requested to extend the tabling of the Alternative Two PD-SF43 to the August 6, 2024 Planning & Zoning Commission Meeting. The applicant submitted a new application on June 19th for a straight SF-43 to be considered on August 6th.

HEARING to receive comments regarding the request.

At 6:30 p.m., Chairman James Tunnell continued the public hearing that was opened at the June 4th Commission meeting.

- Greg Ramey, 563 Torry Pines Circle – strongly feels that maintaining a PD-SF43 is preferable to a straight SF-43 and the PD-SF43 is the best opportunity to negotiate with the developer to get something that is beneficial to all parties.
- Mike McClard, 217 Blue Heron – opposes SF-22 and would like to see more 3.0 estate lots. This area is the gateway to our City and we should have a Custom Home builder.

- Richard Koepke, 208 James Drive - stated that one-acre lots are a minimum and we should be reaching for more than just the minimum. Opposition of the SF-22 and stated this is not want we want in Heath.
- Bill Allen, 105 Sawgrass – Heath is growing faster than we need and we have a water issue. If we add more people to the pool and take more water out of the pool, it will be a problem. We need to secure a water contract before we approve more development.
- Roy Heath, 205 James Drive – spoke in opposition of the SF-22 and encouraged the Council to look to minimize variances from our standard-designated development plan. Heath is opposed to smaller lots and supports higher-quality developments.
- Mrs. Gullion, 633 Calvin Drive – concerned with the overcrowded schools and asked who is responsible for making sure all the kids have a place to go.
- Mitch Hesse, KFM Engineering & Design, 3501 Olympus Blvd, Suite 100, Dallas, TX – was was present to answer any questions and stated that both applications include 115 lots on 158 acres. There are some existing drainage issues on Serenity Drive and this project would alleviate those issues.

Tunnell closed the public hearing at 6:50 p.m.

Discussion and action regarding the request.

The Commissioners continued discussion and the consensus was opposition to the SF22 zoning. The City of Heath wants to keep rural by design, green space, trails, parks and no tract housing. Commissioner Gordon stated that this property is a premier location and the citizens want a premier development and our job as Commissioners is to try to reflect what the majority of the citizens want. Commissioner Shaw's concern was the additional trtraffic feeding onto Ridge Road.

MOTION TO DENY CASE NO. ZA-2024-01 TO DENY WITH PREJUDICE THE ALTERNATIVE #1 PD APPLICATION WITH BASE SF-22 ZONING AND MOVE TO TABLE THE ALTERNATIVE #2 PD APPLICATION WITH BASE SF-43 ZONING UNTIL THE AUGUST 6, 2024 MEETING

MOTION MADE:	GORDON
SECONDED:	SHAW
APPROVED:	PASSED UNANIMOUSLY

3.d Case No. ZA-2024-02: Conduct a Public Hearing and act on an application to change the zoning classification from (A) Agricultural District to (PD-SF) Planned Development for (SF-Single Family Residential Uses for property addressed 6717 S FM 549 and further described as Tract 15, A. Rodriguez Survey, Abstract 231, City of Heath, Rockwall County, Texas. The zoning change aims to facilitate the creation of a residential subdivision to contain no more than twelve (12) residential lots measuring at least one developable acre. (Rockwall CAD No. 12922)

Assistant City Manager Aaron Adel stated that this is a zoning request for PD-SF Planned Development for SF-43 Single Family Residential Uses. Notices of Public Hearing were mailed on June 21, 2024, three responses were received in favor, one in opposition and one was split. Adel explained the Development Process stating that this property is predominantly raw land. The development is for 12 lots measuring at least one-developable acre. net of floodplains, ROW, and bodies of water. The current zoning is Agricultural District designation and the request is for a Planned Development for SF-43 Single Family Residential Uses (PD-SF43). The revised application includes two variances: 1. to maximize the Cul-de-sac Length which is 600 feet and the requested lenth is 1,350 feet with intermediate turnaround and 2. Front Setback Reduction from the minumum of 50 ft the requested 40 ft on 8 lots and 30 ft on 4 lots around turnaround and cul-de-sac. The radius of the cul-de-sac conforms to Fire Code. The proposed zoning change substantially complies with the Heath Code of Ordinances with the exception of the Cul-de-Sac length variance and the front setback variance requested. Following rezoning, a preliminary plat, final plat, and public improvement construction plans are required. At that time, the applicant will demonstrate how the neighborhood will connect to the city's water and sanitary sewer system and comply with all engineering design standards. Sanitary sewer is available to the site from a 10" line at Dennis Bailey and 549 and water

is available to the site. There are multiple water service lines in the vicinity: 12" and 8" lines at the intersection of Dennis Bailey and 549 and a 12" line along the opposite side of 549. The applicant's engineer will propose the best solution for the site to be reviewed by the City Engineer in the construction plans submitted with the final plat.

HEARING to receive comments regarding the request.

Chairman James Tunnell opened the public hearing at 8:08 p.m.

- Mitch Hesse, KFM Engineering & Design, 3501 Olympus Blvd, Suite 100, Dallas, TX – was present to answer questions and explained that the detention pond does not currently exist and will be built because a detention pond is required.
- Greg Ramey, 563 Terry Pines Circle – stated that he is a city engineer for another city and does not believe that this property is ready for full development. The street is a long ¼ mile private street and does not believe that there will not be enough flow for twelve homes for the water and sewer lines. The development has one way in and out and believes there should another available entrance/exit into the neighborhood.
- Bob Dougherty, 271 Dennis Bailey Lane – lives adjacent to the property and is concerened about the line of trees (approximately 35 trees) that buffer the neighborhood. This is an odd shaped property and does not make sense. Also concerned with water drainage from this property to my property. This is not Heath.
- Dianne Dockins, 149 Country Club – concerned with water drainage from Buffalo Creek to her property and supports smaller lots so the younger families van afford a home in Heath if they choose to live in Heath. Not everyone can afford a three-acre lot in Heath.
- Allen Dowell, stated that he is the property owner and this property has been family-owned for many years. He is getting older and can no longer take care of the Ag property. He understands the concerns but believes the proposal is a viable situation and is in line with Cobblestone and also supports smaller lots for the younger families.

Tunnell closed the public hearing at 8:24 p.m.

Discussion and action regarding the request.

KFM Engineering & Design, Mitch Hesse, if we move the road, we will end up with a single-loaded street with more expensive infrastructure. Commissioner Rask commented tabling the item to a future meeting so someone can be present to give feedback on whether the things we would like to see are feasible and can negotiate with the Commissioners. Commissioner Ruszkiewicz recommended a denial without prejudice so the applicant can submit a new application.

MOTION TO DENY CASE NO. ZA-2024-02 WITHOUT PREJUDICE.
MOTION MADE: RASK
SECONDED: RUSZKIEWICZ
DENIAL PASSED SIX TO ONE
For Denial: BISHOP, GORDON, RASK, RUSZKIEWICZ, SHAW, TUNNELL
Against Denial: HEINKELE

3.e Case No. CUP-2024-04: Conduct a Public Hearing and act on an application for a Conditional Use Permit as required by the Heath Code of Ordinances, § 159.21 (B)(14) to allow a detached residential garage in the (SF-43) Single Family Residential District and grant a variance to § 159.21 (B)(14)(d) Maximum Size for a Single Accessory Structure of 900 square feet to permit a detached garage of 1,500 square feet on 0.992 acres of land described as Candlelite Park #2, Lot 11 and addressed as 513 Terry Lane. (Rockwall CAD No. 14795)

Assistant City Manager Aaron Adel stated that the applicant has requested a Conditional Use Permit and Square Footage Variance to construct a detached garage on a 0.992-acre lot. Notice of Public Hearing was published, posted, and mailed on June 21st. Seven responses were returned in favor and one email was received in opposition. The proposed accessory structure is a 30x50 steel building, metal roof/siding, metal clad pedestrian door, two metal garage doors, height will not exceed 19 feet, existing vegetation provides partial screening and the position of the building behind

the home will block most of the visibility from Terry Lane. The request does not conform to §159.21(B)(14)(d), which limits the maximum size of an accessory structure to 900 SF. The applicant requests a Variance to allow an additional 600 SF. §159.21(B)(2) allows a CUP for accessory buildings that do not conform to the area requirements. The applicant is requesting that the garage be allowed to encroach five feet into the required 15' side yard setback. The P&Z Commission and City Council do not have the authority to allow the garage to encroach into the required 15' side yard setback to align with the existing driveway. Only the Board of Adjustment may grant this type of variance. Applicant and property owner, Terry Brown were present and stated that the proposed garage was for the storage of his recreational vehicle and workshop. The vegetation will completely wall it from the neighbors' views and will only be visible from the driveway.

HEARING to receive comments regarding the request.

Chairman James Tunnell opened the public hearing at 8:53 p.m.

- John Ward, 517 Terry Lane stated that his is neighbor and is speaking in support and stating that he would rather have his neighbor's RV stored in a garage than parked outside on a concrete slab. He suggested increasing the 900 SF on the Ordinance to be more accommodating for requests such as this. Our neighborhood is secluded and very wooded, this garage would fit in well.

Chairman Tunnell closed the public hearing at 8:54 p.m.

Discussion and action regarding the request.

The Commission continued discussion and the consensus was that this property is unique enough to justify increasing the 900 SF limit to 1200 SF. The property is wooded and would screen the proposed garage. These requests are always tough because of setting a precedent. Chairman Tunnell stated that the uniqueness of the property is a justified reason for approval of a 1200 SF variance but not 1500 SF.

MOTION TO APPROVE THE REQUEST AT 1200 SF GIVEN THE UNIQUE ISOLATED NATURE OF THE LOCATION OF THE DETACHED GARAGE.

MOTION MADE:	RUSZKIEWICZ
SECONDED:	BISHOP
APPROVED:	PASSED UNANIMOUSLY

Break at 9:08 and meeting resumed at 9:13

Commissioner Rask asked if the November 5th P&Z meeting would be moved to the next day November 6th due to the election on November 5th.

4. Adjourn

Chairman James Tunnell adjourned the meeting at 9:14 p.m.

APPROVED: ATTEST:

_____ _____

JAMES TUNNELL
CHAIRMAN

NORMA DUNCAN
CITY SECRETARY

CITY of HEATH
Planning & Zoning Commission
Agenda Brief

MEETING DATE: 08/06/2024 **AGENDA ITEM: 3.c**

Item:

Case No. CUP-2024-05: Conduct a Public Hearing and act on a Conditional Use Permit granting an exception to the Lake Edge Zoning District § 159.30 (A), Exhibit A, Section 1.01 "Fences" that prohibits fences within the Take Area on property addressed 301 Scenic Drive and further described as Lot 21, Antigua Bay, City of Heath, Rockwall County, Texas. Rockwall CAD No. 14064.

Applicant:

Robert Vandling

Owners:

Robert Vandling

Current Zoning:

(SF-15) Single Family Residential District

Background:

The subject property has a Take Area Sublease as shown on the attached Site Plan and is located adjacent to a public accessway to Lake Ray Hubbard in the Antigua Bay subdivision as shown on the attached Vicinity Map.

Per the Lake Edge Zoning District § 159.30 (A), Exhibit A, Section 1.01 "Fences", fences are prohibited within the Take Area, except for a fence (barrier) separating private leased areas within the Take Area from public property (park lands, roads, alleys) while providing an access way for public safety, public services and maintenance, public inspection, and utility personnel and vehicles through the Take Area. The exception, which shall be constructed of ornamental or wrought iron and subject to the requirements of the Fence Ordinance (Chapter 157), shall require a CUP.

The following regulations in Chapter 157 Fences, § 157.02 Fences in Residential Areas apply to the subject property:
A. No fence, guy wire, brace, light standard, sign, vee-arm barbed wire base and arm, or any structure attached to a fence shall protrude over a property line.

F. Fences on or behind the front building line, except side and rear yards abutting a street, may have a maximum height of eight feet.
G. Fences on lake front properties shall be ornamental wrought iron or tubular steel with at least 75% open area per linear foot to maintain surrounding lake views. Fences located more than 35 feet from the rear property line of a lake front lot and constructed entirely behind the main residential structure may be privacy fences constructed in accordance with the provisions of this chapter.
H. Fences shall be constructed of and repaired with new material of good quality including natural, decay-resistant wood, stained or unstained, for privacy fences, powder coated for metal fences, natural, decay-resistant wood, stained or unstained, for rail fences.
I. Privacy fences shall be constructed with metal or galvanized steel posts set in concrete at a minimum depth of 18 inches and a distance of no more than eight feet apart. Fences shall be required to be constructed so that the fence posts face the interior side of the fence and, with the exception of the top cap, are not visible from the public way.
K. Masonry or stone columns shall match the main residential structure.

Public Notification:

Neighborhood notices were mailed on July 26, 2024. The city received no responses.

Financial Impact:

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Legal Impact:

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Comprehensive Plan Impact:

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Compliance Summary:

The proposed fence complies with Chapter 157, Fences and qualifies as an exception per § 159.30 (A), Exhibit A, Section 1.01. A Conditional Use Permit is required to construct the fence.

Attachments:
CUP-2024-05 301 Scenic Application.pdf
CUP-2024-05 301 Scenic Site Plan.pdf
CUP-2024-05 301 Scenic Vicinity Map.pdf

City of Heath
200 Laurence Dr.
Heath, TX 75032
972-961-4883

CITY OF HEATH
COMMUNITY DEVELOPMENT
MAY 24 2024
RECEIVED

FENCE VARIANCE APPLICATION

APPLICANT: **OWNER** *(IF DIFFERENT)*:

Name (printed): Vandling Wendy Lynn & Robert James

Property Address: 301 Scenic Drive Heath TX 75032

Email Address: Wendy@xrayce.com

Telephone Number: 214-507-8899

The following information pertains to the location for which the variance is being requested:

Street Address: 301 Scenic Drive Heath TX 75032

Legal Description (attach if necessary): Antigua Bay Lot 21

I hereby certify that this application is complete per the requirements of Chapter 157 "Fences" of the Heath Code of Ordinances. I further understand this variance will be considered by the Heath City Council following a public hearing. It is necessary to have a representative present at the City Council meeting who is authorized to discuss this request. A Notice of Public Hearing will be mailed to all property owners within 500' of the subject property.

Applicant's Signature Wendy Lynn Vandling Date: _____

The following checklist is a summary of requirements for fence variance requests. The applicant should refer to Chapter 157 "Fences" of the Heath Code of Ordinances, other ordinances, maps, and codes available at City Hall and on the website at www.heathtx.com that may pertain to this fence variance request. If the subject fence is a required swimming pool barrier, the fence must also meet the requirements of §150.40 and §150.41. In addition to paper submittals, electronic copies attached to an email addressed to AFerrell@heathtx.com will be accepted. Graphics should be in a .pdf format.

- ☑ Completed Fence Variance Application and fee
- ☑ Completed Demonstration on page 2
- ☑ Site plan showing the location of the fence variance request and any other fences that conform to or are exempt from the fence ordinance. The site plans shall also indicate the building, landscaped areas, parking and approaches, and adjoining street right-of-way.
- ☑ If the fence is located within an area overseen by a homeowners or property owners association (or similar body) please provide a letter from the association including their support for the fence variance application.

City Office Use Only:	
Application Date:	5.24.24
Application Fee:	Check # ____ CC X Cash ____
City Council Meeting Date:	
Notice Published (10 days prior to Public Hearing)	
Neighborhood Notices Mailed (10 days prior to Public Hearing)	

According to §157.08 (A) of the Heath Code of Ordinances, the City Council may allow a variance to the provisions of fence regulations, after a public hearing, if it determines that the enforcement of a provision in a particular instance:

1. Is not in the best interests of the public;
2. Constitutes waste or inefficient use of land or other resources;
3. Creates an undue hardship on the applicant for a permit; OR
4. Does not serve its intended purpose, is not effective or necessary.

DEMONSTRATION:

Please demonstrate that <u>at least one</u> of the following conditions are applicable to the requested fence variance:

1. **Describe how this variance is in the best interests of the public.**

This fence will create a safe and enjoyable environment for all visitors while also respecting ours, as well as our neighbors, private properties.

2. **Describe how this variance creates an efficient use of land or other resources.**

3. **Describe how DENYING this variance would create an undue hardship on the applicant.**

Denying us to put up a perimeter fence adjacent to the public take area opens our property to a range of issues including liability concerns, privacy invasion, property protection and maintaining public safety and order. Our fence will provide a clear boundary.

4. **Describe how the specific regulation being violated does not serve its intended purpose, is not effective or necessary.**

CONDITIONAL USE PERMIT APPLICATION

	APPLICANT:	**OWNER** *(IF DIFFERENT)*:
Name (printed):	Robert Vandling	
Mailing Address:	301 Scenic Dr Heath, Tx 75032	
Telephone Number:	214-507-8899	
Email Address:	robert@xrayce.com	

CITY OF HEATH
COMMUNITY DEVELOPMENT
JUL 10 2024
RECEIVED

ADDRESS OF PROPERTY INVOLVED: 301 Scenic Drive Heath Tx 75032

LEGAL DESCRIPTION OF PROPERTY INVOLVED: Include Lot, Block, Subdivision Name, Survey, Abstract, and Address. Attach a separate page for metes and bounds descriptions.

Antigua Bay, Lot 21

CURRENT ZONING OF THE PROPERTY: SF-15

COUNTY CAD PARCEL ID NUMBER: 14064

APPLICABLE CODE REFERENCE establishing the need for a CUP: **§ 159.**_____

REASON FOR REQUEST: Include the type of conditional use requested, dimensions, materials, and variance to code. Attach a separate sheet if necessary and include supporting documentation in the Required Items Checklist. Refer to the Heath Code of Ordinances, § 159.43 Conditional Use Permits at https://codelibrary.amlegal.com/codes/heathtx/latest/overview

Fence next To Public Property, next to Tree line

IS THIS A CONDITIONAL USE PERMIT RENEWAL APPLICATION? If yes, what was the Ordinance number creating the CUP and the expiration date?

Ordinance No. _____ **Expiration Date:** _____

REQUIRED ITEMS CHECKLIST:

☐ **DIMENSIONED SITE PLAN** showing:

- ☐ Property boundaries
- ☐ Location and size of all structures
- ☐ Distance between structures
- ☐ Distance to the property line
- ☐ Building setbacks
- ☐ Other prominent features of the property

☐ Letter of approval from the neighborhood Homeowner Association

☐ Elevations (photos or renderings) for existing and proposed structures

Notice of Public Hearing will be published in the Dallas Morning News, on the city website, and mailed to neighbors within 500' of the subject property describing the proposed action and requesting public input. A zoning change sign will also be placed in the property's front yard.

The CUP review and approval process takes approximately 60 days from the application deadline. The Planning and Zoning Commission and City Council will conduct public hearings and act on this application. A project representative must attend the Planning and Zoning Commission meeting and the City Council meeting to testify and answer questions from the Commission and Council.

APPLICANT SIGNATURE: _____ **DATE:** 7-10-24

OWNER SIGNATURE: _____ **DATE:** _____

CITY OFFICE USE ONLY:

Fees paid $_____ Check #_____ CC _____ Cash _____

P&Z Hearing Notice Published & Mailed (10 days prior): _____

P&Z Public Hearing: _____

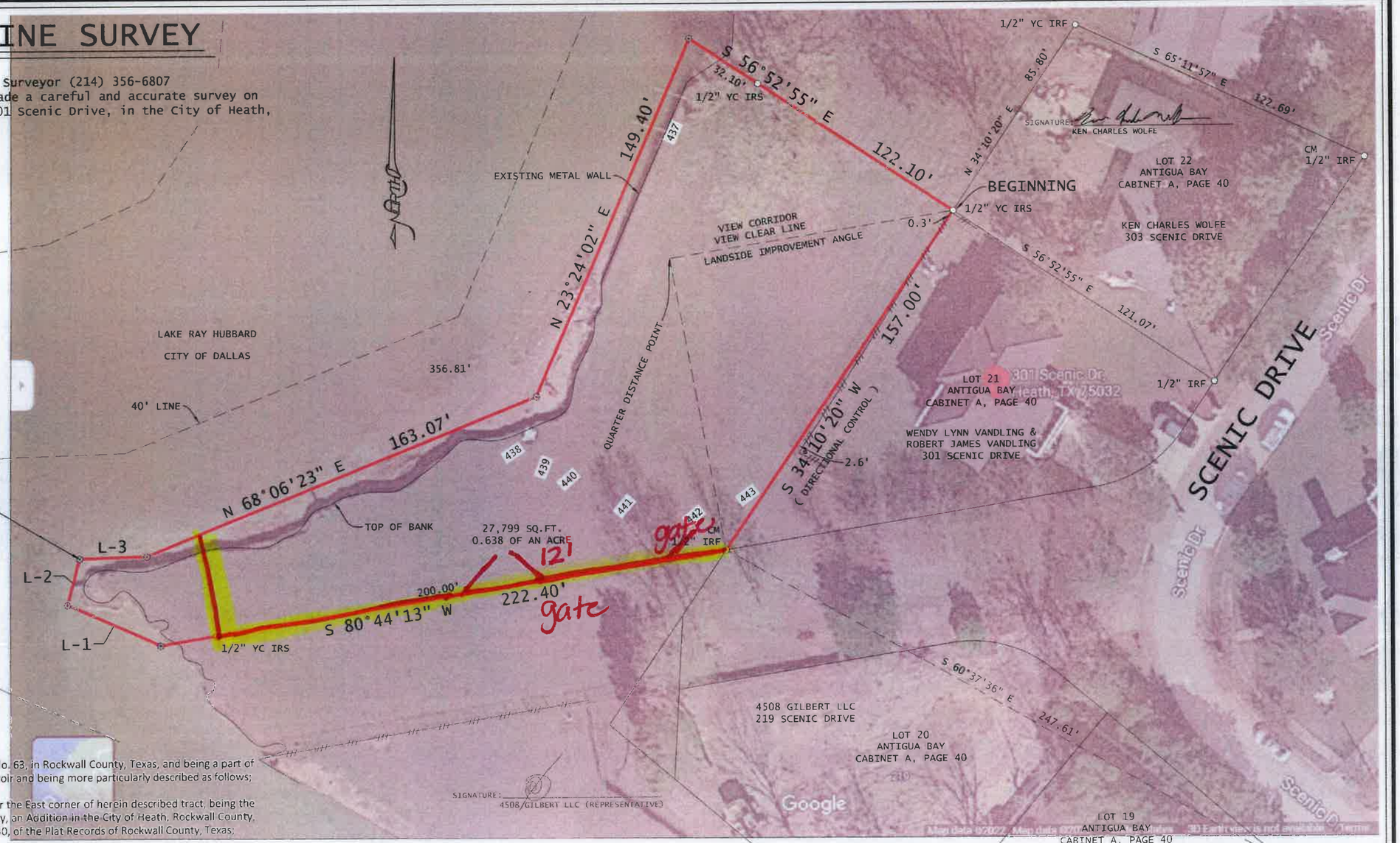
City Council Notice Published (15 days prior): _____

City Council Public Hearing: _____

Barry Rhodes, RPLS 3691
7509 Pennridge Circle
Rowlett, TX 75088
214-356-6807

TAKE LINE SURVEY

BARRY S. RHODES Registered Professional Land Surveyor (214) 356-6807
This is to certify that I have, this date, made a careful and accurate survey on the ground of property located adjacent to 301 Scenic Drive, in the City of Heath, Rockwall County, Texas.



STATE OF TEXAS:
COUNTY OF ROCKWALL:

BEING a tract of land situated in the Cary Cobb Survey, Abstract No. 63, in Rockwall County, Texas, and being a part of the City of Dallas take area property for Lake Ray Hubbard Reservoir and being more particularly described as follows;

BEGINNING at a set 1/2 inch yellow-capped iron rod for corner for the East corner of herein described tract, being the common North and West corner of Lots 21 and 22, of Antigua Bay, an Addition in the City of Heath, Rockwall County, Texas, according to the plat thereof recorded in Cabinet A, Page 40, of the Plat Records of Rockwall County, Texas;

THENCE South 34 degrees 10 minutes 20 seconds West, along the Northwest line of said Lot 21, a distance of 157.00 feet to a found 1/2 inch iron rod for corner on the North right of way line, as shown on said Addition;

THENCE South 80 degrees 44 minutes 13 seconds West, passing a set 1/2 inch yellow-capped iron rod for reference at a distance of 200.00 feet, continuing a total distance of 222.40 feet to a point for corner;

THENCE North 66 degrees 04 minutes 10 seconds West, a distance of 39.31 feet to a point for corner;

THENCE North 14 degrees 58 minutes 29 seconds East, a distance of 18.37 feet to a point for corner;

THENCE North 88 degrees 14 minutes 51 seconds East, a distance of 25.97 feet to a point for corner;

THENCE North 68 degrees 06 minutes 23 seconds East, a distance of 163.07 feet to a point for corner;

THENCE North 23 degrees 24 minutes 02 seconds East, a distance of 149.40 feet to a point for corner;

THENCE South 56 degrees 52 minutes 55 seconds East, passing a set 1/2 inch yellow-capped iron rod for reference at a distance of 32.10 feet, continuing a total distance of 122.10 feet to the PLACE OF BEGINNING and containing 27,799 square feet or 0.638 of an acre of land.

Line Table		
Line #	Direction	Length
L-1	N 66°04'10" W	39.31'
L-2	N 14°58'29" E	18.37'
L-3	N 88°14'51" E	25.97'

LEGEND
OHUL - OVERHEAD UTILITY LINE
GAS - GAS LINE
WOOD FENCE - IRON FENCE
CHAIN LINK - WIRE FENCE
CM - CONTROLLING MONUMENT
POINT FOR CORNER
C - CABLE
CO - CLEAN OUT
GM - GAS METER
FH - FIRE HYDRANT
LP - LIGHT POLE
MH - MANHOLE
GW - GUY-WIRE
E - ELECTRIC
UP - UTILITY POLE
T - TELEPHONE
WM - WATER METER
WV - WATER VALVE
(UNLESS OTHERWISE NOTED)

THIS CERTIFICATION DOES NOT TAKE INTO CONSIDERATION ADDITIONAL FACTS THAT AN ACCURATE TITLE SEARCH AND OR EXAMINATION MIGHT DISCLOSE.

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat:
TITLE AND ABSTRACTING WORK FURNISHED BY SEA TECH
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 40'
Date: 3/20/2022
G. F. No.:
Job no.: 2409GR
Drawn by: CM 20220020

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM. THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR SEA TECH

STATE OF TEXAS
REGISTERED
BARRY S. RHODES
3691
PROFESSIONAL
LAND SURVEYOR

VICINITY MAP

(Not to scale)

Legend:

Subject Property

500' Notification Boundary



Case Number: CUP-2024-05

Case Type: Conditional Use Permit for a Take Line Fence Exception

Location: 301 Scenic Drive

CAD ID: 80798

CITY of HEATH
Planning & Zoning Commission
Agenda Brief

MEETING DATE: 08/06/2024 **AGENDA ITEM: 3.d**

Item:

Case No. FP-2024-05: Consider and act on the Final Plat of Fielding Addition containing one lot on 13.998 acres zoned (PD-SF) Planned Development for Single Family Residential Uses by Ordinance No. 190723B located at the intersection of Rabbit Ridge and Lowe Road and further described as A0231, A. Rodriquez Survey, Tract 12. Rockwall CAD No. 12919.

Applicant:

Eric Pfeil, Urban Strategy

Owners:

Jeremy and Laura Fielding

Current Zoning:

(PD-SF) Planned Development for (SF-43) Single Family Uses by Ordinance 190723B

Background:

The applicant requests the plat to facilitate construction of a single-family residence.

ACCESS: Access to the property comes from Rabbit Ridge. Theattached site plan was submitted with a Fence Permit application. The fence is under construction. The applicant plans to gain access from the driveway shown on the site plan and not from the existing apron constructed as part of the improvements to Rabbit Ridge. The proposed driveway provides access to the subject plat (CAD 107060) and two other properties also owned by the Fieldings (CAD 107215 and 107213). The proposed driveway must function as a fire access road designed to fire code and city paving standards and enclosed in a Fire Access Easement on the plat.

TREES: A tree survey is attached.

SEWER: The property will be served by OSSF.

WATER: The property is served by the City Heath water system.

DRAINAGE: Grading and drainage plans will be reviewed with the building permit application.

Board/Commission Comments:

On March 5, the P & Z Commission considered the final plat and unanimously recommended denial with the following motion:

Motion: Deny the plat for the following reasons: 1) The applicant has not addressed the February 15th DRC comments, and the plat does not comply with the requirements of PD Ordinance 190723b, and 2) The city council must approve a subdivision variance to allow a minimum lot width of 74.16 feet rather than the 100' lot width required in Section 159.21(e)(4).

On March 26, 2024, the City Council denied the final plat without prejudice citing the following reasons:

1. The applicant has not addressed the February 15, 2024 DRC Comments.
2. The plat does not comply with the requirements of the PD Ordinance No. 190723B.
3. The lot width of 74.16 feet does not comply with the minimum lot width of 100 feet required by Section 159.21(E)(4).

Financial Impact:

.

Legal Impact:

.

Comprehensive Plan Impact:

The plat conforms to the Comprehensive Plan's Future Land Use Plan that shows Rural Estates uses.

Compliance Summary:

The plat conforms to the Comprehensive Plan's Future Land Use Plan that shows Rural Estates.

See the attached Ordinance Compliance Matrix for a comparison of the subject final plat to city requirements. The matrix highlights one deficiency where the plat does not conform to the (SF-43) requirement of a minimum lot width of 100 feet. The plat provides 74.12 feet. This requires a subdivision Variance.

Per state law, plat review is a ministerial function. The motion must be either to: Approve, Approve with Conditions citing specific statutes or ordinance sections, or deny with reasons citing specific statutes or ordinance sections.

Conditions to the motion should be:

1. The lot width of 74.12 feet does not comply with minimum lot width of 100 feet required by Section 159.21(E)(4). To establish the proposed lot width, a variance must be granted by the City Council.
2. The proposed driveway shown on the attached Site Plan must be a fire access road and enclosed in a Fire Access Easement. This must be added to the final plat before execution.

Attachments:

FP-2024-05 Fielding Addition Plat After DRC Comments.pdf
FP-2024-05 Fielding Addition Site Plan.pdf
FP-2024-05 Fielding Addition Compliance Matrix after DRC Comments.pdf
FP-2024-05 Fielding Addition Tree Survey.pdf
FP-2024-05 Fielding Addition Notice of Final Plat Denial.pdf
FP-2024-05 Fielding Addition Application.pdf

OWNER'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF ROCKWALL §

WHEREAS Jeremy A. and Laura S. Fielding are the owners of a 13.998 acres tract of land situated in the A. Rodriguez Survey, Abstract Number 231, City of Heath, Rockwall County, Texas, and being all of that tract of land described in General Warranty Deed, recorded in Instrument No. 20200000017341, Official Public Records, Rockwall County, Texas, (O.P.R.R.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of said Fielding tract, being on the east line of that tract of land described as Tract 1 to Jeremy A. Fielding and Laura S. Fielding, by deed recorded in Instrument No. 20200000017249, O.P.R.R.C.T., and the southwest corner of that tract of land described to Michael J. Beaman and Susan D. Beaman, by deed recorded in Volume 6984, Page 96, from which a 1/2 inch iron rod found for witness bears South 31 degrees 08 minutes 08 seconds West, a distance of 3.53 feet;

THENCE South 79 degrees 01 minutes 43 seconds East, with the south line of said Beaman tract, a distance of 788.27 feet to a 1/2 inch iron rod found for an inside ell corner of said Beaman tract;

THENCE South 43 degrees 24 minutes 54 seconds East, with the northeast line of said Beaman tract, and the southwest line of that tract of land described to Dennis Bailey and Kathie Bailey, by deed recorded in Volume 3661, Page 229, D.R.R.C.T., and that tract of land described to Ramona Tucker, by deed recorded in Volume 5020, Page 180, D.R.R.C.T., a distance of 953.95 feet to a 1/2 inch iron rod with plastic orange cap stamped "Urban Strategy" set for the Northwest corner of a R.O.W. dedication to the City of Heath, recorded in Instrument No. 20190000013405, O.P.R.R.C.T., being in the West R.O.W. line of Rabbit Ridge Road (a variable width R.O.W.), and being the beginning of a non-tangent curve to the left, with a radius of 640.90 feet, a central angle of 06 degrees 37 minutes 47 seconds, and a chord bearing and distance of South 19 degrees 31 minutes 25 seconds West, 74.12 feet;

THENCE, with the west R.O.W. line of said Rabbit Ridge Road R.O.W. dedication, and said curve to the left, an arc distance of 74.16 feet to a 1/2 inch iron rod with plastic orange cap stamped "Urban Strategy" set for the Southwest corner of said R.O.W. dedication, and being on the North line of Tract 2, described to Gay Lynn Fate, by deed recorded in Instrument No. 2016000022840, D.R.R.C.T.;

THENCE, with the north line of Tract 2, said Fate tract (2016000022840), the following bearings and distances:

North 78 degrees 10 minutes 50 seconds West, a distance of 665.11 feet to a 1/2 inch iron rod with plastic orange cap stamped "Urban Strategy" set;

North 40 degrees 59 minutes 17 seconds West, a distance of 134.19 feet to a 1/2 inch iron rod found;

THENCE South 82 degrees 46 minutes 34 seconds West, with the North line of Tract 2, said Fate tract (2016000022840), and the north line of that tract of land described as Tract 1 to Gay Lynn Fate, by deed recorded in 2016000022840, O.P.R.R.C.T., a distance of 353.01 feet a 1/2 inch iron rod with plastic orange cap stamped "Urban Strategy" set for the southwest corner of said Fielding tract (20200000017341), the northwest corner of Tract 1, said Fate tract (2016000022840), the northeast corner of that tract of land described to Lynn Fate, by deed recorded in Volume 936, Page 236, D.R.R.C.T., and the southeast corner of Tract 1, said Fielding tract (20200000017249), by deed recorded in Instrument No. 20200000017249, O.P.R.R.C.T.;

THENCE North 23 degrees 40 minutes 14 seconds West, with the east line of said Fielding tract (20200000017249), a distance of 785.80 feet to the **POINT OF BEGINNING**, and containing 609,729 square feet or 13.998 acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT, JEREMY A. AND LAURA S. FIELDING does hereby adopt this plat designating the hereinabove described property as FIELDING ADDITION, LOT 1, BLOCK A , an addition to the City of Heath, Rockwall County, Texas, and hereby dedicates to the public use forever all streets, alleys, parks, water courses, drains, easements and public places thereon shown for the purposes stated and for the mutual accommodation and use of all utilities desiring or using same. The City of Heath and public utilities shall, at all times, have the full right of ingress and egress to or from their respective easements for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, reading meters, and adding to or removing all or parts of their respective systems without the necessity of procuring permission from anyone. The City of Heath or Rockwall County will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grades on streets in this subdivision.

We further certify that all other parties who have mortgage or lien interest in FIELDING ADDITION, LOT 1, BLOCK A, have been notified and signed the plat. We also understand the following:

1. No building shall be constructed or placed upon, over, or across the utility easements as described herein.
2. Any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other growths or improvements which in any way endanger or interfere with construction, maintenance or efficiency of their respective system on any of these easement strips; and any public utility shall at all times have the right of ingress or egress to, from and upon the said easement strips for purpose of construction, reconstruction, inspecting, patrolling, maintaining, and either adding to or removing all or part of their respective system without the nexessity of, at any time, procuring the permission of anyone.
3. The City of Heath will not be responsible for any claims of any nature resulting from or occasioned by the establishment of grade of streets in the subdivision.
4. No house, dwelling unit, or other structure shall be constructed on any lot in this addition by the owner or any other person until the developer and/owner has compiled with all requirements of the Subdivision Regulations of the City of Heath regarding improvements with respect to the entire block on the street or streets on which property abuts, including the actual installation of street, water, sewer, drainage structures, storm sewers and alleys, all according to the specifications of the City of Heath, or until an escrow deposit, sufficient to pay for the cost such improvements, as determined by the city's engineer and/or city administrator, computed on a private commercial rate basis, has been made with the City Secretary, accompanied by an agreement signed by the developer and/or owner, authorizing the city to make such improvements at prevailing private commercial rates, or have the same made by a contractor and pay for the same out of the escrow deposit, should the developer and/or owner fail or refuse to install the required improvements within the time stated in such written agreement, but in o case shall the City be obligation to make such improvements itself. Such deposit may be used by the owner and/or developer as progress payments as the work progresses in making such improvements by making certified requisitions to the City Secretary, supported by evidence of work done; or until the developer and/or owner files a corporate surety bond with the city secretary in a sum equal to the cost of such improvements for the designated area, guaranteeing the installation thereof within the time stated in bond, which time shall be fixed by the city council of the City of Heath.

Witness my hand this _____ day of _____, 2024.

_____
JEREMY A. FIELDING

STATE OF _____ §
COUNTY OF _____ §

Before me, the undersigned authority, a notary public in and for the said County and State, on this day personally appeared JEREMY A. FIELDING, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 2024.

_____
Notary Public, in and for the State of Texas

Witness my hand this _____ day of _____, 2024.

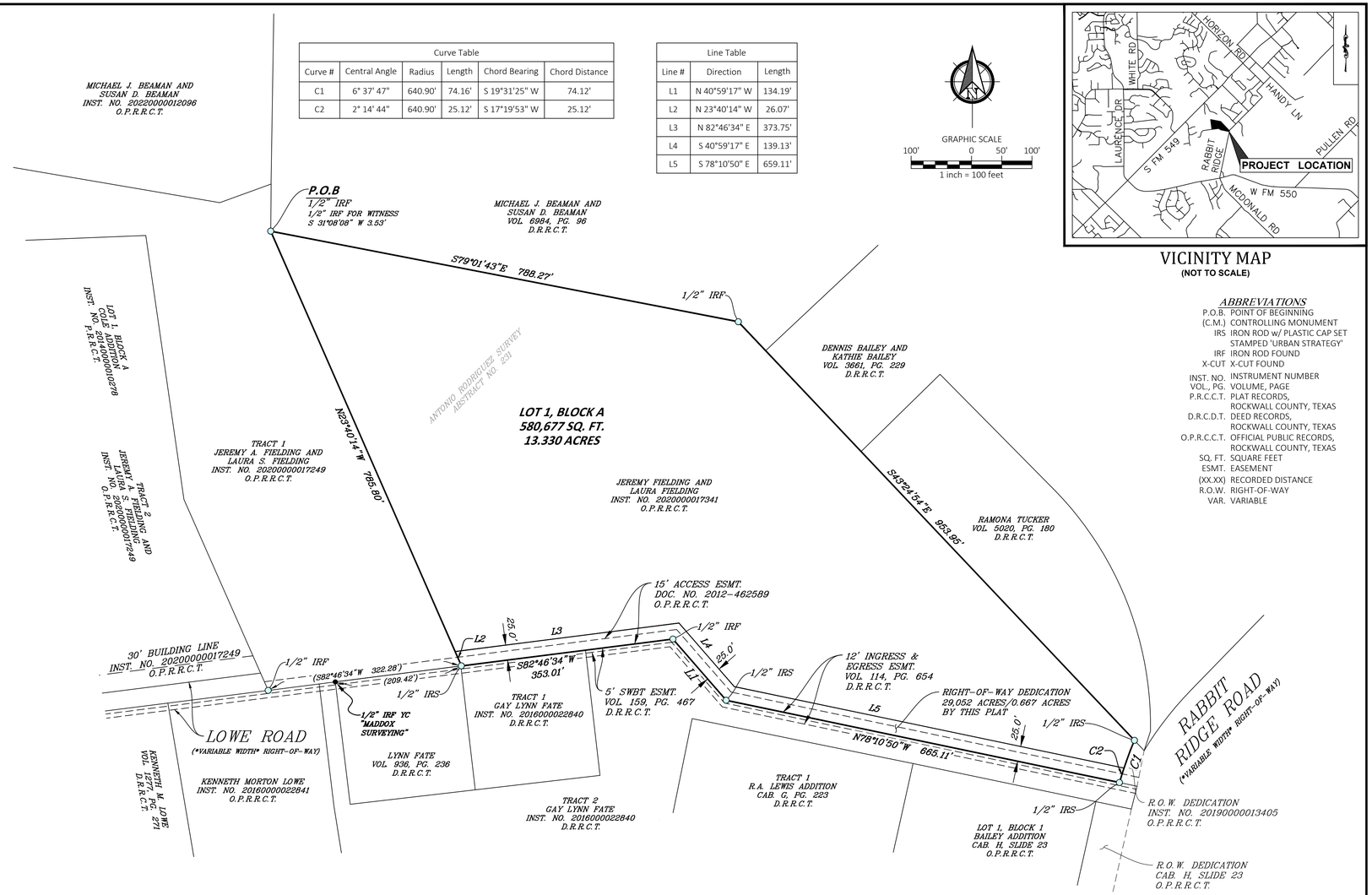
_____
LAURA S. FIELDING

STATE OF _____ §
COUNTY OF _____ §

Before me, the undersigned authority, a notary public in and for the said County and State, on this day personally appeared LAURA S. FIELDING, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this _____ day of _____, 2024.

_____
Notary Public, in and for the State of Texas



VICINITY MAP
(NOT TO SCALE)

ABBREVIATIONS

P.O.B.	POINT OF BEGINNING
(C.M.)	CONTROLLING MONUMENT
IRS	IRON ROD w/ PLASTIC CAP SET STAMPED 'URBAN STRATEGY'
IRF	IRON ROD FOUND
X-CUT	X-CUT FOUND
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
P.R.C.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
D.R.C.D.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
SQ. FT.	SQUARE FEET
ESMT.	EASEMENT
(XX.XX)	RECORDED DISTANCE
R.O.W.	RIGHT-OF-WAY
VAR.	VARIABLE

SURVEYOR'S CERTIFICATE

STATE OF TEXAS §
COUNTY OF DALLAS §

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That I, **David A. Minton**, R.P.L.S. No. 6233, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my personal supervision.

Dated this the ____ day of _____, 2024.

_____
David A. Minton
Registered Professional Land Surveyor no. 6233

STATE OF TEXAS §
COUNTY OF DALLAS §

Before me, the undersigned authority, a notary public in and for the said county and state, on this day personally appeared **David A. Minton**, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office, this the _____ day of _____, 2024.

_____
Notary Public, in and for the State of Texas

GENERAL NOTES

1. According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Map No. 48397C0105L, dated 09/26/2008 for Dallas County, Texas, this property is located in non-shaded Zone X, determined by scaling and graphical plotting. The surveyor makes no guaranty of accuracy.
2. Basis of bearing is State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983, adjustment realization 2011. Vertical datum is NAVD88 GEOID12B, as derived by GNSS.
3. All 1/2 IRS are capped with orange plastic caps stamped "URBAN STRATEGY".
4. Any residential structure will be constructed with fire sprinkler systems per city specifications for fire protection.
5. The current zoning of the property is Planned Development for Single Family Residential Uses by Ordinance No. 190723B.
6. The existing 15' ingress/egress easement shall remain unobstructed and fully operational by Ordinance No. 190723B.

Recommended for final approval:

_____ _____
Chairperson **Date**
Planning and Zoning Commission

Approved:

_____ _____
Mayor Date
City of Heath, Texas

I hereby certify that the above and foregoing plat of FIELDING ADDITION, an Addition to the City of Heath, Texas, was approved by the Mayor of the City of Heath on the _____ day of _____, 2024.

This approval shall be invalid unless the approved Plat of the Addition is recorded in the office of the County Clerk of Rockwall County, Texas, within 365 days from the date of final approval. An extension may be granted by the Planning and Zoning Commission.

The Addition shall be subject to all the requirements of the Platting Ordinance of the City of Heath.

Witness my hand this the _____ day of _____, 2024.

_____
City Secretary
City of Heath, Texas

Civil
Urban Strategy
4222 Main St.
Dallas, TX 75226
www.urbanstrategy.us
214-295-5775

Surveyor
David A. Minton, RPLS
Texas License No 6233
Urban Strategy
1100 E. Campbell, Ste 210
214-396-2339
davidm@urbanstrategy.us
TBPLS Firm No. 10194610

DEVELOPER/ OWNER
RG D+B
contact: Rene Gracia
1801 N. Lamar St.
Dallas, TX 75202
Phone: 214-438-4805
Email: rene@rgdb.com

URBAN STRATEGY
1100 E. Campbell, Suite 210
Richardson, Texas 75081
Firm Registration #F-10194610, 214.396.2339
www.urbanstrategy.us

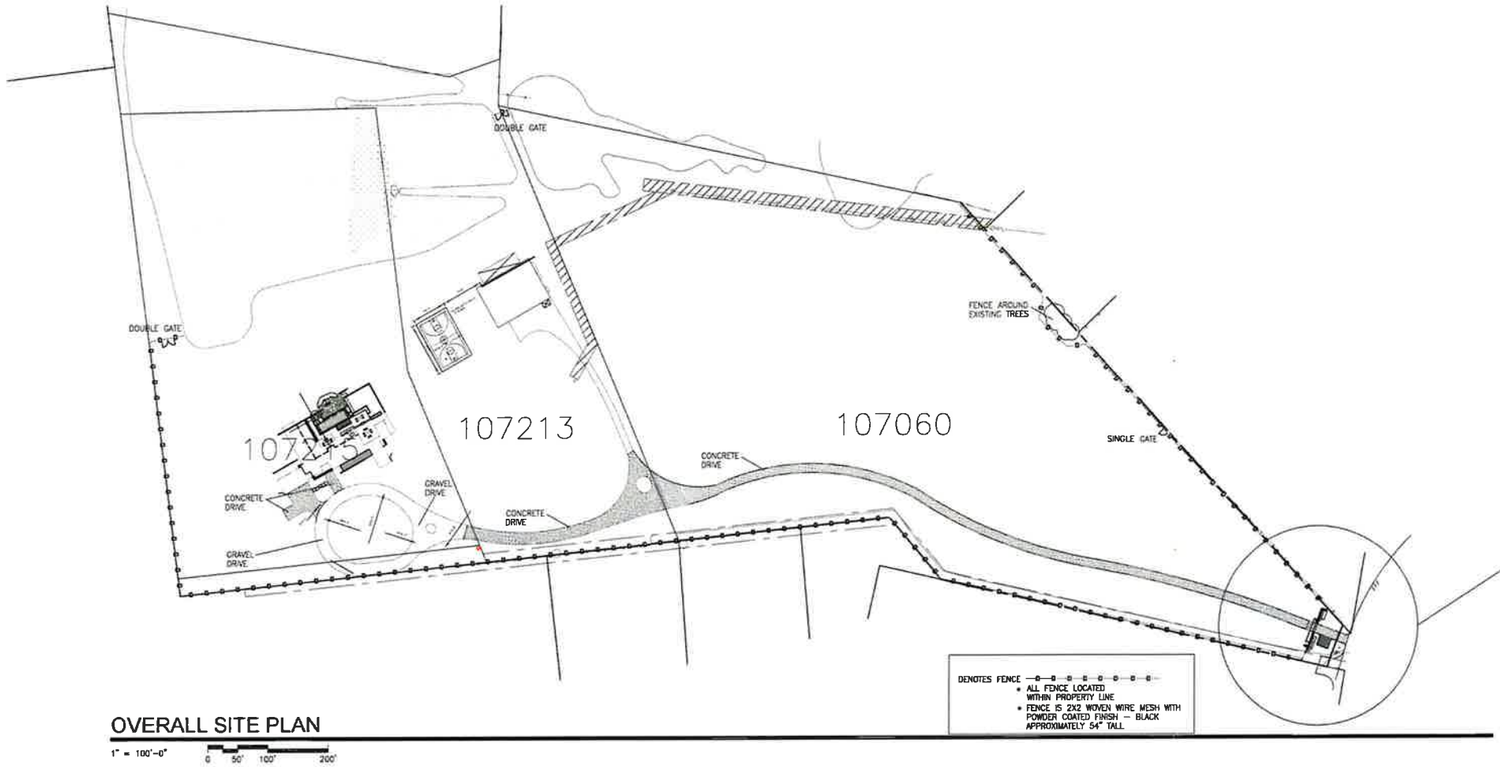
PRELIMINARY PLAT

FIELDING ADDITION

LOT 1, BLOCK A
13.998 ACRES / 609,729 SQUARE FEET
BEING A PRELIMINARY PLAT OF
A 14.011 ACRE TRACT OF LAND
OUT THE ANTONIO RODRIGUEZ SURVEY, ABSTRACT NO. 231
CITY OF HEATH, ROCKWALL COUNTY, TEXAS

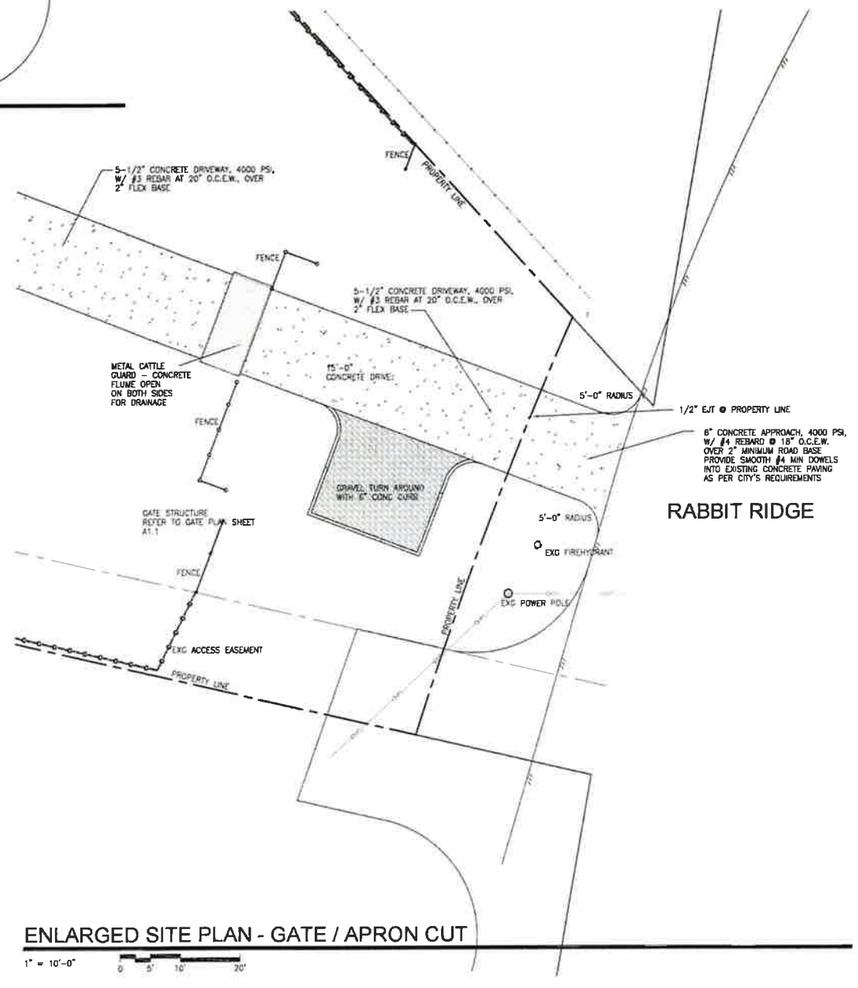
ISSUE DATE: 06/11/2024 | PROJECT NO.: 239027 | SCALE: 1 inch = 100 ft. | PAGE 1 OF 1

FILE NAME: 239027-PRELIMINARY PLAT-WITH-REVISED.DWG
FILE LOCATION: N:\Projects\239027 Lower'd Heath Plat\ACAD\Sheets\239027-Preliminary Plat-WITH-Revised.dwg
LAYOUT NAME: 1 - 9/18/2024 10:41 AM
PLOTTED ON: 9/18/2024 10:41 AM



OVERALL SITE PLAN

1" = 100'-0" 0 50' 100' 200'



ENLARGED SITE PLAN - GATE / APRON CUT

1" = 10'-0" 0 5' 10' 20'

RGDB

ALL CONDITIONS AND DIMENSIONS AT THE JOB SITE SHALL BE VERIFIED AND NOTIFY THE ARCHITECTS OF ANY DIMENSIONAL ERRORS, OMMISIONS, OR DISCREPANCIES BEFORE BEGINNING OR FABRICATING ANY WORK DO NOT SCALE DRAWINGS

ALL RIGHTS RESERVED. ©

REGISTERED ARCHITECT STATE OF TEXAS

14 SEPT 2023

JEREMY AND LAURA FIELDING NEW RESIDENCE

1096 RABBIT RIDGE
HEATH, TEXAS 75032

REVISIONS

NO. DATE

KHA JOB NUMBER
2020.200

SHEET NUMBER
SP1.1
DRIVEWAY

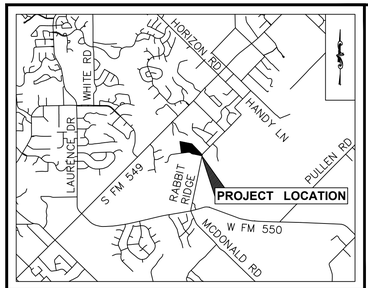
ORDINANCE COMPLIANCE MATRIX: Final Plat in (A) Agricultural District			
Deficiencies in RED shall be referenced in the motion to "Approve with Conditions" or "Deny with Reasons".			
Ordinance Requirement		**(PD-SF) Ordinance 190723B and (SF-43) REQUIREMENTS**	**Final Plat COMPLIANCE**
1.	Minimum Lot Area	1 acre	13.998 acres
2.	Maximum # Main Dwellings	one	one
3.	Minimum SF/Dwelling	3,200 SF	Reviewed with Building Permit
4.	Minimum Lot width	100 feet	**74.12 feet**
5.	Mimum Lot Depth	200 feet	1,742.22 feet
6.	Minimum Front Setback	50	Complies
7.	Minimum Rear Setback	25 feet	Complies
8.	Minimum Side Setback	a. Internal Lot: 15 feet	Complies
		b. Abutting street: 30 feet	Complies
9.	Minimum Driveway Length	25 feet	Complies
10.	Maximum Building Height	35 feet main dwelling. All other structures See Table (B)(14)	Reviewed with Building Permit
11.	Minimum # Off-Street Paved Parking Spaces	a. Main single-family dwelling unit: two (not including garage) b. All other uses: see §§ 159.60 through 159.68.	Complies
	PD Ordinance No. 190723B, Exhibit B, requires a 50' right-of-way width for the fully developed public portion of Lowe Road as it extends off Rabbit Ridge Road as shown in Exhibit A of the same ordinance.		25' ROW provided. The remaining 25' would be required from the adjacent property.
	PD Ordinance No. 190723B, Exhibit B, requires a 25' right of way reserve for the future extension of Lowe Road shall be established on the final plat as a separate lot as shown in Exhibit A of the same ordinance.		No necessary or practical. The ROW dedication adjusts the property line.

§ 158.07 Final Plat Regulations		**Final Plat COMPLIANCE**
(A)(1)	Names of the owner and/or subdivider and of the licensed state and land surveyor responsible for the plat	Complies
(A)(2)	Name of the subdivision and adjacent subdivisions and name of streets	Complies
(A)(3)	Accurate boundary survey and description of the property. Street, alley and lot lines in adjacent subdivisions shall be shown in dashed lines. North point, scale and date.	Complies
(A)(4)	Proposed lots, streets, public highways, alleys, parks and other features, with accurate dimensions, with the length of radii and of arcs of all curves, all angles, and with all other engineering information necessary to reproduce the plat on the ground. Boundaries and acreage of the protected floodplain. All lots or building sites shall conform to the standards prescribed by the zoning ordinance for the district or districts in which the subdivision is located. All streets, alleys, drainage and public utilities shall conform to the specifications of the city. For specifications, see: Engineering Standards of Design	Complies

(A)(5)	The locations of building lines on front and side streets and the location of utility easements;	Complies
(A)(6)-(A)(9)	Owners Dedication	Complies
(A)(10)	Certification by a licensed state land surveyor	Complies
(A)(11) (A)(12)	Certfications for the P&Z Commission Chairman and Mayor.	Complies
(A)(13)	CIVIL CONSTRUCTION PLANS: Final plats shall be accompanied by plan-profile sheets, 24 inches by 36 inches, and platted to a scale of 40 feet to one inch horizontal and five or six feet to one inch vertical, for each proposed street in the subdivision. These plan-profiles shall show the existing ground and the proposed grade at four points of cross section; that is, the back-of-curb lines, and the property lines. The plan portion shall show the size and location of all drainage of flow of all storm water. Plans shall show all public utilities needed to service the subdivision and should accompany the final plat and be approved by the City Engineer and be in compliance with the city standards. For city standards, see: Engineering Standards of Design	NA
(A)(14)	CIVIL CONSTRUCTION PLANS: Typical cross sections shall be shown of the type and width of paving proposed for the streets. Curbs and gutters, pavement types and drainage structure design standards of the city, in effect at the time of submission of the plat, shall be used, subject to the approval of the city's engineer and/or Planning and Zoning Commission. For design standards, see: Engineering Standards of Design	NA
(A)(15)	Subdividers Certificate	Complies

§ 158.09 Miscellaneous Requirements.			**Final Plat COMPLIANCE**
(B)	Approach Water Main	(1) In a proposed subdivision where city water is not available but is accessible, the subdivider shall provide at his or her expense an approach water main of size sufficient to serve his or her subdivision or of a size shown in the water distribution plan, whichever is larger.	Connected to City of Heath's water system.
		(2) The plans, specifications and all constructions shall be subject to the approval of the city's engineer, and the entire distribution system shall be adequate for service when the city water supply is available.	NA
(C)	Approach Sewer Line	(1) In a proposed subdivision where public sanitary sewers are not available but are accessible, the subdivider shall provide at his or her expense an approach sewer line of sufficient size to serve his or her subdivision including any necessary lift stations, or of the size shown in the sewer collection plan or required by the city engineer for future expansion, whichever is larger.	Property already served with sewer

		(2) If public sanitary sewers are not accessible, the subdivider may be required to install the complete sanitary sewer system to conform with future plans for connection with the public sanitary sewer in which case he or she shall install the necessary sewage treatment facilities for use until such time when the connection is made in the city sanitary sewer system.	NA
		(3) Where the installation of sanitary sewers is not required the size of the subdivided lots shall be a minimum of one acre in size for individual disposal facilities, including the necessary lateral lines and builder shall install individual disposal devices for each lot at the same time improvements are erected thereon.	NA
		(4) Any such individual sewage disposal system shall be constructed in accordance with the state health department specifications and subject to the approval of the City Engineer and the City Council.	NA
§ 158.55	Parkland dedication recommendation from the Park Board.		NA
	Private water supply company letter		NA
	Copy of previously approved Preliminary Plat and any approved Concept Plan		NA



VICINITY MAP
(NOT TO SCALE)

GRAPHIC SCALE
80′ 0′ 40′ 80′
1-inch = 80-feet

ABBREVIATIONS

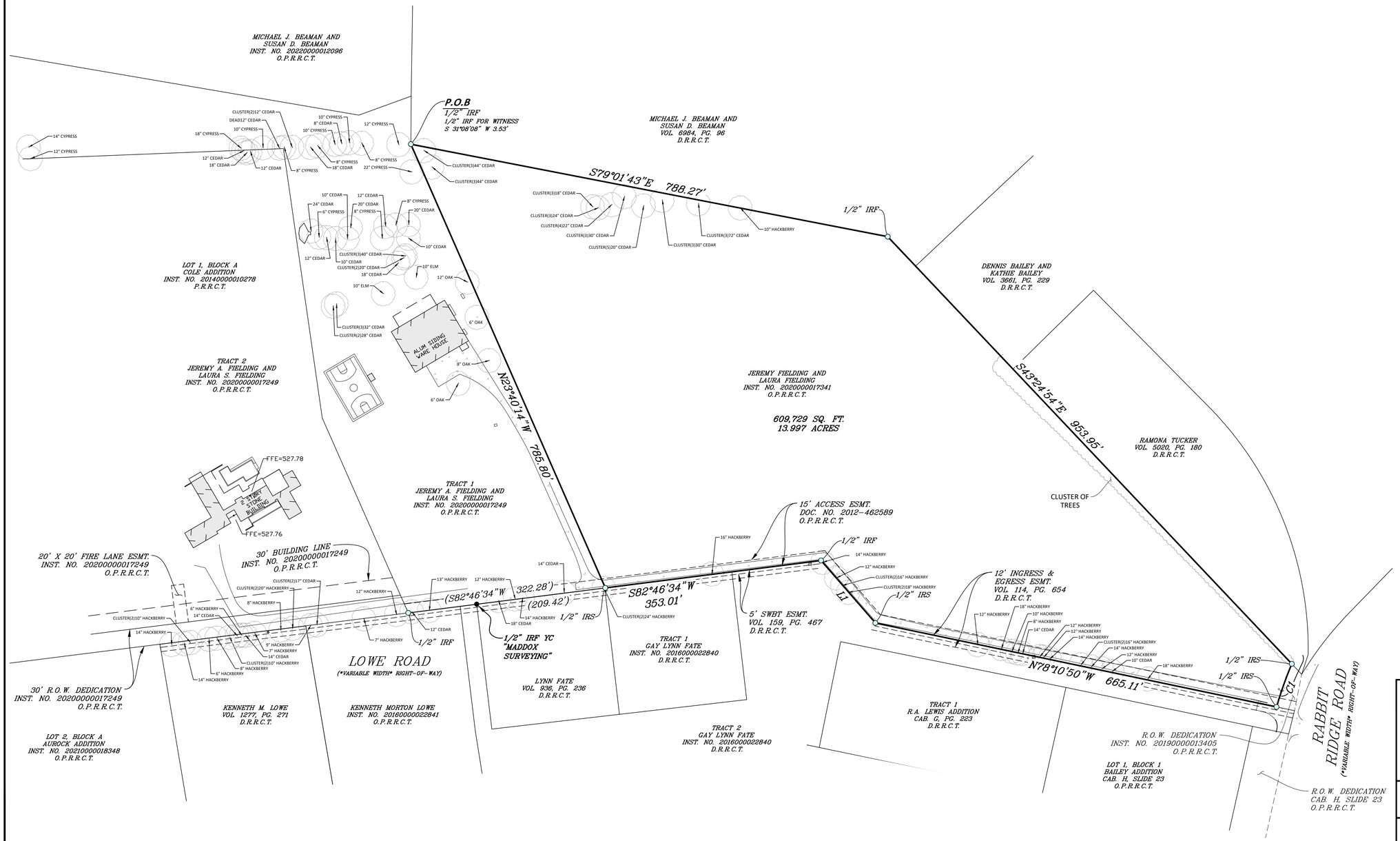
P.O.B.	POINT OF BEGINNING
(C.M.)	CONTROLLING MONUMENT
IRS	IRON ROD w/ PLASTIC CAP SET STAMPED 'URBAN STRATEGY'
IRF	IRON ROD FOUND
X-CUT	X-CUT FOUND
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
P.R.C.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
D.R.C.D.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
SQ. FT.	SQUARE FEET
ESMT.	EASEMENT
(XX.XX)	RECORDED DISTANCE
R.O.W.	RIGHT-OF-WAY
VAR.	VARIABLE
~~	TREE LINE

Line Table		
Line #	Direction	Length
L1	N 40°59′17″ W	134.19′

Curve Table					
Curve #	Delta	Radius	Length	Chord Bearing	Chord Distance
C1	6°37′47″	640.90	74.16′	S 19°31′25″ W	74.12′

GENERAL NOTES

1. All bearings, distances, and coordinate values shown hereon are grid based coordinates based on the Texas Coordinate System of 1983, North Central Zone (4202), U.S. survey feet, North American Datum of 1983, as derived by GNSS from the Trimble RTK Network.
2. According to Flood Insurance Rate Map (FIRM) Map No. 48397C0105L for the City of Dallas, Texas, with an effective date of 09/26/2008 and prepared by the Federal Emergency Management Agency (FEMA); this property lies within the Non-shaded Zone "X" area, defined by FEMA as an area determined to be outside the 500-year flood level.
3. Not all lot lines outside of the boundary of the subject property show hereon have been surveyed and are shown as graphical depiction based on recorded information and tax maps.
4. Vertical datum is NAVD88 Geoid12b, as derived by GNSS from Alterra Trimble RTKNet Network.
5. The survey was performed without the benefit of a title commitment, abstract of title, or title report. The property could be subject to easements not shown hereon.



Civil
Urban Strategy
4222 Main St.
Dallas, TX 75226
www.urbanstrategy.us
214-295-5775

Surveyor
David A. Minton, RPLS
Texas License No 6233
Urban Strategy
1100 E. Campbell, Ste 210
214-396-2339
davidm@urbanstrategy.us
TBPLS Firm No. 10194610

DEVELOPER/ OWNER
RG D+B
contact: Rene Gracia
1801 N. Lamar St.
Dallas, TX 75202
Phone: 214-438-4805
Email: rene@rgdb.com

URBAN STRATEGY
1100 E. Campbell, Suite 210
Richardson, Texas 75081
Firm Registration #F-10194610, 214.396.2339
www.urbanstrategy.us

TREE SURVEY

13.997 ACRES / 609,729 SQUARE FEET

1088 RABBIT RIDGE COURT, HEATH, TX 75032
OUT THE ANTONIO RODRIGUEZ SURVEY, ABSTRACT NO. 231
CITY OF HEATH, ROCKWALL COUNTY, TEXAS

ISSUE DATE: 06/11/2024	PROJECT NO.: 239027	06/10/2024	PAGE 1 OF 1

CITY OF HEATH
200 Laurence Drive, Heath, TX 75032

March 28, 2024

Eric Pfeil
1100 E. Campbell, Suite #210
Richardson, TX 75081
ericp@urbanstrategy.us

Jeremy Fielding
1088 Rabbit Ridge Rd
Heath, TX 75032

Subject: Notice of Denial
Case No. FP-2024-05
Fielding Addition

Dear Eric and Jeremy:

The purpose of this letter is to confirm that on March 26, 2024, the City Council denied your final plat application for the above referenced case. The City Council's motion to deny the plat cited the following reasons:

1. The applicant has not addressed the February 15, 2024 DRC Comments.
2. The plat does not comply with the requirements of the PD Ordinance No. 190723B.
3. The lot width of 74.16 feet does not comply with the minimum lot width of 100 feet required by Section 159.21(E)(4).

The DRC comments and the Planned Development Ordinance referenced above are attached.

The staff is available to work with you on a new application for a final plat addressing the city council's reasons for denial. Please reach out with any questions.

Sincerely,

Aaron Adel, AICP
Director of Community Development
aadel@heathtx.com
(972)961-4875

cc: Leisa Price, Chief Building Official

Attachments: DRC Comments February 15, 2024
PD Ordinance No. 190723B

FINAL PLAT APPLICATION

Procedures required by Texas Local Government Code, Chapter 212 and the City of Heath Code of Ordinances, Chapter 158, Subdivision Regulations

☒ **Single-Family Residential Plat** ☐ **Multi-Family Residential Plat** ☐ **Non-Residential Plat**
☐ **Mixed-Use Plat** ☐ **Final Plat (Short Form; 5 acres or less, residential)**
☐ **Development Plat** ☐ **Amended Plat** ☐ **Replat**

☒ **INITIAL SUBMITTAL** must include:
- ☒ Complete application including all checklist items
- ☒ Application Fees, make checks payable to: City of Heath, call office to pay with credit card
- ☐ Current Tax Certificate issued by appropriate County Appraisal District

☐ **RESUBMITTAL** must include:
- ☐ Complete application including all checklist items **and responses to all City comments**
- ☐ Application Fees, make checks payable to: City of Heath, call office to pay with credit card

	APPLICANT:	**OWNER** *(IF DIFFERENT)*:
Name (printed):	Eric Pfeil	Jeremy Fielding
Mailing Address:	1100 E. Campbell	1088 Rabbit Ridge Rd
	STE #210	Heath, Texas 75032
	Richardson, Texas 75081	
Telephone Number:	(469)642-4195	
Email Address:	ericp@urbanstrategy.us	

SUBDIVISION NAME: Fielding Addition

LEGAL DESCRIPTION (Lot, Block, Subdivision, or CAD Tract No, Survey, Abstract, Address):
CAD Tract # 12919, A. Rodriquez Survey, Abstract No. 231

CURRENT ZONING OF THE PROPERTY: Agriculture

Note: If a request to change the zoning for the land to be platted to allow the development proposed in the plat is pending, the zoning application shall be decided before a determination is made whether the plat application is complete.

CONCEPT PLAN TITLE: _____ **APPROVED (date):** _____

CITY OFFICE USE ONLY:
Fees paid $_____ Check #_____ CC _____ Cash _____
DRC comments to applicant: _____
Comments addressed by applicant: _____
Publication/notification (if needed): _____
Planning & Zoning action: _____
City Council action: _____

SUBDIVISION NAME: Fielding Addition

REQUIRED ITEMS CHECKLIST:

☒ Complete application form

☒ Application fee from the current fee schedule

☒ Plat drawings; Provide 8 copies on 11x17 paper and one .PDF file

☒ **Parkland dedication recommendation** from the Park Board

☒ **Private water supply company letter** stating the company has reviewed the water plans, sufficient water pressure and volume for domestic use will be provided, and sufficient water pressure and volume for fire protection will be provided.

☒ **Provide a copy of the Preliminary Plat previously approved and any approved Concept Plan**

☒ **For short form divisions (less than 5 acres), development plats, replats, or amended plats,** provide:

- ☒ Outline of wooded areas or location of important individual trees
- ☒ Contours shown at 2-foot intervals
- ☒ Boundary and acreage of the floodplain
- ☒ Designation of all proposed land uses AND zoning districts within subdivision including acreage
- ☒ **Treescape Plan** as required by § 158.38-158.39 to include:
  - ☒ Location of all existing and/or proposed structures as shown on the grading plan
  - ☒ All improvements properly dimensioned and referenced to property lines;
  - ☒ Setback and yard requirements;
  - ☒ Existing and proposed site elevations and grades;
  - ☒ Location of existing or proposed utilities and easements;
  - ☒ Title block with subdivision name, date, name, address, and phone number of person preparing the plan;
  - ☒ Exact location, trunk diameter, height, and species of all protected trees to be removed, in map and table form
  - ☒ Exact location, trunk diameter, height, and species of all replacement trees to be planted, in map & table form

☒ **Construction plans for all public improvements:**

- ☒ Water and sewer plans
- ☒ Plan and profile sheets for each proposed street: 24-inch x 36-inch drawings having a scale of 40 feet to horizontal inch and five or six feet to a vertical inch. See code for specific and additional requirement for plan profiles.
- ☒ Typical cross sections of the type and width of paving for streets

All Final Plat drawings must contain the following:

☒ Name of owner and/or subdivider

☒ Name of the licensed state land surveyor responsible for the plat

☒ Name of the subdivision

☒ Names of adjacent subdivisions and/or property owners

☒ Names of streets

☒ Accurate boundary survey and legal description of the property

☒ Lines of adjacent lands and adjacent street and alleys with widths and names

☒ North point, scale, and date

☒ Location of proposed lots, streets, public highways, alley, parks

☒ Appropriate rights-of-way to be dedicated

☒ Accurate dimensions of lots, streets, etc. in feet and decimal fractions of feet

☒ Length of radii and/or arcs of all curves, angles, with other engineering information

☒ Dimensions shall be shown from all angle points

☒ Locations of all building lines on the front and side streets and utility easements

☒ Acreage of all lots. **NOTE:** Developable area excludes land that is in the regulatory floodplain; rivers, lakes, and streams; and rights-of-way (ROW)

☒ Owner's certificate and dedication (see attached template)

☒ Surveyor's certificate (see attached template)

☒ Certificates of approval / City of Heath signatures (see attached template)

☒ All deed restrictions to be filed with the plat shall be shown or filed separately

CITY of HEATH
Planning & Zoning Commission
Agenda Brief

MEETING DATE: 08/06/2024 **AGENDA ITEM: 4.a**

Item:

Section 551.071: Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding: (i) zoning and comprehensive plan standards and (ii) Case Nos. ZA-2024-01 and ZA-2024-03.

CITY of HEATH
Planning & Zoning Commission
Agenda Brief

MEETING DATE: 08/06/2024 **AGENDA ITEM: 6.a**

Item:

Case No. ZA-2024-01: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. (Rockwall CAD No. 12706)

Applicant:

Jim Knight, KFM Engineering and Design

Owners:

BC Golf II Limited

Current Zoning:

(A) Agricultural District

Requested Zoning Amendment:

The original application included two concepts:
Alternative #1: (PD-SF22) Planned Development for Single Family Residential Uses
Alternative #2: (PD-SF43) Planned Development for Single Family Residential Uses

The Alternative #1 PD-SF22 was denied without prejudice by City Council on July 23, 2024. The Alternative #2 PD-SF43 concept is still under consideration.

Background:

This item including both concepts, Alternative #1 and Alternative #2, was tabled at the June 4th Planning and Zoning Commission meeting following a presentation by the applicant's team.

The applicant requested withdrawal of the Alternative #1 PD-SF22 concept plan at the July 2nd Planning and Zoning Commission meeting. Rather than accepting the withdrawal, the Commission voted

unanimously to deny with prejudice the Alternative #1 PD-SF22 concept application.

On July 23rd, the City Council denied without prejudice the Alternative #1 concept application.

The Alternative #2 PD-SF43 concept is still on the table andexplained in detail in the attached cover letter. Note the proposed zoning change includes the following variance requests as described in the cover letter:

1. LOT TO LOT DRAINAGE: To maximize tree preservation an allowance will be made permitting lot-to-lot drainage. This allowance will preclude the need for obtrusive drainage easements, allowing for the site to remain in a more natural state (Re: Exhibits A.1 & A.2 for relevant areas of the site).
2. PROPOSED LANDSCAPE ORDINANCE AMENDMENT: Exhibit C includes the Landscape Ordinance for the City of Heath adopted on March 12, 2024, which will be applied to the Heathland Crossing development, with special exceptions and additions included. The proposed amendment includes items to decrease water usage in landscaped areas and includes provisions for non-seeding varieties of Bermuda sod to be allowed. Resources from both the Texas Smartscape Database and the Texas Water Development Board guide the proposed Landscape Ordinance amendment.
3. PROPOSED TREE PRESERVATION ORDINANCE AMENDMENT: Exhibit D, Proposed Amendment to the City of Heath Tree Preservation Ordinance, for the Heathland Crossing development, will align the tree preservation requirements with current industry best practices accounting for both tree species and the size of tree. The proposed amendments aim to incentivize the preservation of "Protected Trees", while providing exemptions for the removal of invasive and destructive "Unprotected Trees". The amendment includes a list of “Exempt Trees” that have been proven to be invasive and/or destructive to their surrounding environment. These trees present risks of decreased biodiversity, wild-fire acceleration, and overall noxious characteristics. Surrounding jurisdictions in DFW have recognized the undesirable characteristics of the species listed in the “Exempt Trees” list and have excluded them from their preservation/mitigation requirements. Additionally, an increased minimum DBH of 8” is proposed to qualify an existing tree as a “Protected Tree”. The purpose of the proposed amendment is to partner with the City of Heath in its intent on protecting healthy mature trees and promoting the natural ecological, environmental, and aesthetic qualities of the City of Heath. The proposed amendment listed in §158 promotes the preservation of healthy, “Protected Tree” species of ≥8” caliper and allows exemptions for the removal of invasive and/or destructive trees on the “Exempt Trees” list in §158.44. Removing some of the “Non-Protected” trees will allow more ground water to recharge the vital aquifer rather than sustaining undesirable tree species.

Public Notification:

Notice of Public Hearing was sent to neighbors within 500 feet, posted on the website, and published in the Dallas Morning News by May 24, 2024. All responses are attached.

Financial Impact:

.

Legal Impact:

.

Comprehensive Plan Impact:

Future Land Use Plan Designation: Rural Estate
Description: Large-lot, single-family residential development
Density: Overall minimum of 1 acre lots
Corresponding Zoning District(s): Agriculture, SF-3 (see Recommendation 4.5, codified in Heath Code of Ordinances section 159.31), and SF-43

Compliance Summary:

See the attached Ordinance Compliance Matrix.

Staff Recommendation:

See the attached Ordinance Compliance Matrix.

Consider the Zoning Ordinance, § 159.05 PURPOSE OF THE USE DISTRICTS. The purpose of the use districts described is to group together into districts those uses that are reasonably compatible with one another according to their normal characteristics of operation:

A. To permit, in connection with these uses, those customary and necessary accessory activities which are incidental to the principal use;
B. To permit certain other uses which may be established in some situations and subject to specific conditions so that the special uses will also be compatible with the uses allowed as a matter of right;
C. To promote orderly, timely, economic growth and to recognize current land-use conditions;
D. To provide sufficient space in appropriate locations for development to meet the present and future growth needs of the city, with allowance for adversity of sites;
E. To protect use areas, as far as possible, against heavy and unnecessary through traffic;
F. To protect use areas against pollution, environmental hazards, and other objectionable influences;
G. To protect use areas against congestion, as far as possible, by managing the density of population in and around them; by providing for proper off-street parking spaces; and by providing open areas for rest and recreation and to break the monotony of continuous building bulk, thus providing a more desirable environment;
H. To provide for privacy and access of light and air to windows and to all devices that are powered or healed by the sun, as far as possible, through controls over the spacing and height of buildings and other structures;
I. To promote the most appropriate use of land and direction of building development which is not in conflict with the Comprehensive Plan or the adopted policies of the city; to promote stability of development; to protect the character of the districts; to conserve the value of land and buildings; and to protect the city's tax base;
J. To promote the most efficient use of city facilities and services;
K. To protect against fire and explosions and other safety hazards, and to provide for fire protection and access by fire equipment and vehicles;
L. To accommodate use activities and operations whose external physical effects are restricted to the area of the district, and in no manner affect in a detrimental way any of the surroundings districts; and
M. To preserve and protect the favorable and unique quality of life enjoyed by the citizens of the city.

Regarding Comprehensive Plan compliance, see Land Use Strategy > Procedural Land Use Policies >

Rezoning Decisions, Recommendation 4.8 (p. 27, 2018 Comprehensive Plan): Use the Land Use Strategy text and map as a guide to determine whether the requested rezoning is appropriate and consistent with the City's ideals of quality and sustainability. Consider the following questions related to concepts within this Comprehensive Plan prior to approving rezoning requests:

- Does the development provide something unique for Heath?
- Is the development within walking distance to public uses, parks, and open spaces?
- Does the development provide off-street pedestrian and bicycle connections to existing and future development?
- How does the development proposal impact the City fiscally – tax revenue, infrastructure, public services, and other public considerations (such as parks, schools, etc.)?
- How does the development respect environmentally significant areas like floodplains – are these areas used as an amenity?
- Ensure that the proposed development is of a type and quality that will be acceptable for the long-term, especially if immediate development of the property is not intended to occur upon the granting of the proposed rezoning.

The application complies with one zoning district listed in the 2018 Comprehensive Plan, but there are two other zoning districts in the Plan that could be considered.

Attachments:

ZA-2024-01 Heathland Crossing Perry Application Cover Letter.pdf
ZA-2024-01 Heathland Crossing Perry Concept Plan SF 43 Compressed.pdf
ZA-2024-01 Heathland Crossing Perry Ordinance Compliance Matrix PD-SF43 Resubmittal after DRC
ZA-2024-01 Heathland Crossing Perry DRC Comments.pdf
ZA-2024-01 Heathland Crossing Perry Survey 20240513.pdf
ZA-2024-01 Heathland Crossing Perry Vicinity Map 500 200.pdf
All Responses in Favor for P&Z Packet.pdf
All Responses in Opposition for P&Z Packet.pdf
ZA-2024-01 Heathland Crossing Perry Legal Notice DMN 20240523
ZA-2024-01 Heathland Crossing Perry Legal Notice DMN Affadavit

KFM
ENGINEERING & DESIGN

April 17, 2024
Revised: May 16, 2024

Mayor Kelson Elam
City of Heath, Texas
200 Laurence Drive
Heath, TX 75032

Re: HEATHLAND CROSSING (Perry Tract) – Zoning Change Application
City of Heath, Texas

Dear Mayor Elam:

Attached please find an application for a Zoning Change for the 158-acre property located east of Ridge Road, north of Heathland Crossing, and west of White Road. Heathland Crossing is a low-density Single-Family Home community nestled between the wooded Buffalo Creek Tributary and Lake Ray Hubbard. To preserve the natural beauty of the site, this application aims to align the proposed development with current City policies, including the City's recently adopted Landscape Ordinance. This application will enhance Heathland Crossing's rural and natural character relative to conventional zoning and subdivision regulations in the Land Development Code. **The main goal of this Zoning Application is to define the project's approach to complying with the adopted Landscape Ordinance and the Tree Preservation Ordinance of the City of Heath, TX**, which supports the city's goal of natural resource conservation.

The proposed agreements are as follows:

1. The Proposed Zoning Application includes a waiver for lot-to-lot drainage that would allow for the preservation of existing trees and site character (see Exhibits A.1/A.2 and B, attached).
2. The Proposed Zoning Application includes a variance for cul-de-sac design compliance with the City of Heath Engineering Design Standards. (see Exhibit B).
3. Proposed Landscape Standards, alternative compliance with the adopted Landscape Ordinance dated March 12, 2024 of the City of Heath (see Exhibit C, attached).
4. Proposed Tree Preservation Standards, alternative compliance with the adopted Tree Preservation Ordinance of the City of Heath (see Exhibit D, attached).

Supporting Documents

Exhibit A.1: Concept Plan

Exhibit A.2: Concept Plan (Alt.)

Exhibit B: Development Standards

Exhibit C: Landscape Requirements

Exhibit D: Tree Preservation Requirements

Exhibit E: Conformance with Comprehensive Plan

Please do not hesitate to contact KFM if you have any questions or comments on this request, either by phone at 469-899-0536 or by email at jim@kfm-llc.com.

Sincerely,

Jim Knight, P.E.
FOUNDING PARTNER
TBPE # F-2082

Mitch Hesse, P.E.
PROJECT MANAGER
TBPE # F-2082

Exhibit A.1: Concept Plan



Exhibit A.2: Concept Plan (Alt.)

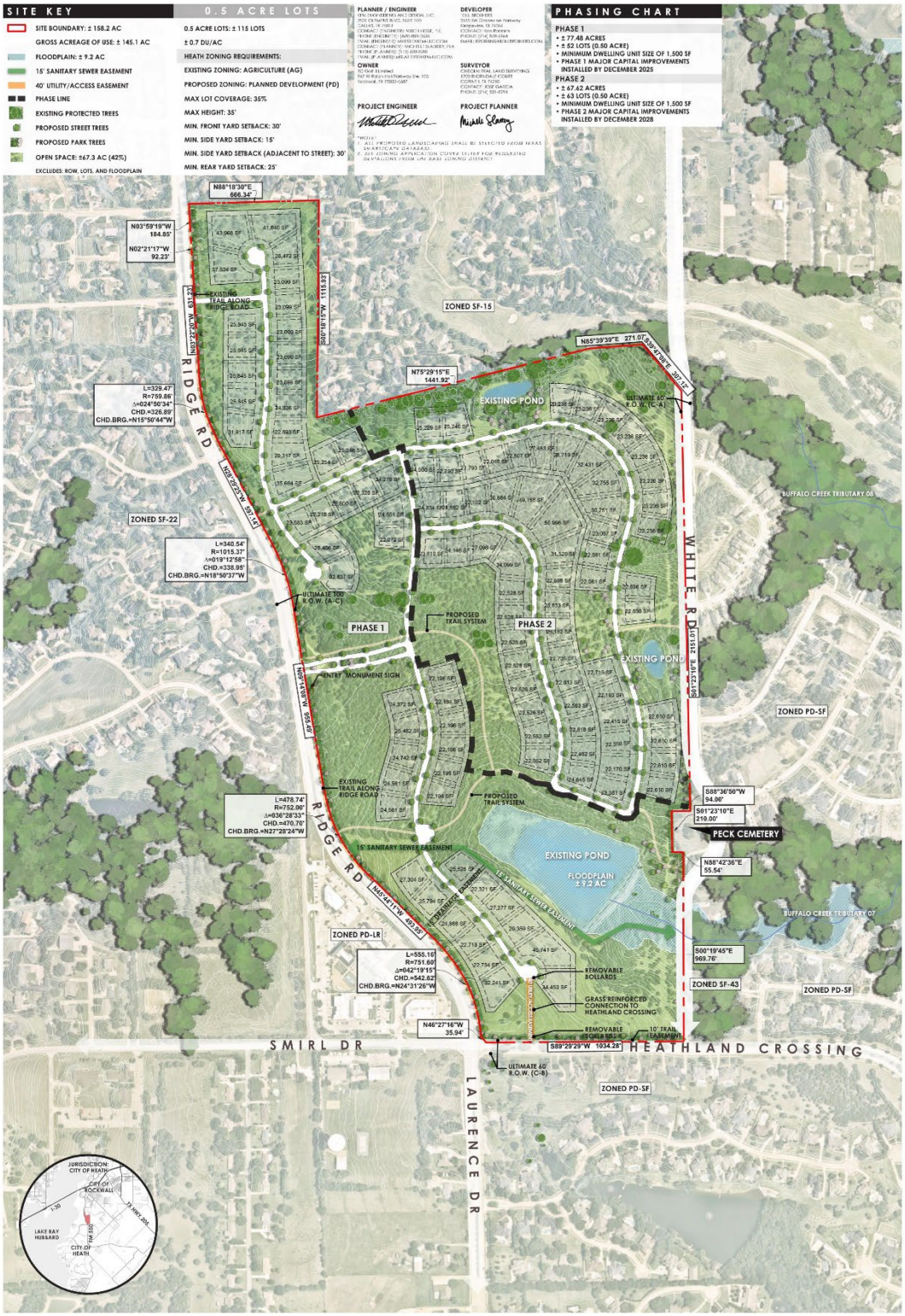


Exhibit B: Development Standards

Purpose

To create an exceptional, quality neighborhood that preserves the rural wooded character of the existing landscape while providing premium housing options for the City of Heath. In general, design standards will follow all applicable City standards, and land uses shall be determined here within.

CONCEPT PLAN
The Property shall generally develop in accordance with the approved Concept Plan. The Concept Plan displays the general location and configuration of land uses, arterials, and other area features. Minor modifications due to the final engineering and design of the project (including changes to street layouts), and minor changes to the boundaries and configuration of each land use area and open space are permitted at the time of platting and shall be administratively approved by the Director of Development Services if such modifications otherwise comply with these Development Standards. The City Manager may administratively approve any amendments to the Concept Plan that the City Manager deems in his/her reasonable discretion to be minor in nature. All other modifications to the original Concept Plan, such as major relocations of land uses, shall require a revision to the governing Planned Development district zoning.

Proposed Agreements

The following provides a summary of the rationale for the proposed agreement described in the attached application:

LOT TO LOT DRAINAGE

To maximize tree preservation an allowance will be made permitting lot-to-lot drainage. This allowance will preclude the need for obtrusive drainage easements, allowing for the site to remain in a more natural state (Re: Exhibits A.1 & A.2 for relevant areas of the site).

CUL-DE-SAC LENGTH (ALT. CONCEPT PLAN ONLY)

To maximize road layout efficiency and limit the amount of proposed pavement an allowance will be made permitting an increase in maximum cul-de-sac length. This allowance will lower the amount of impervious area, preserving more of the site's existing topography and tree canopy.

PROPOSED LANDSCAPE ORDINANCE AMENDMENT

Exhibit C includes the Landscape Ordinance for the City of Heath adopted on March 12, 2024, which will be applied to the Heathland Crossing development, with special exceptions and additions included. The proposed amendment includes items to decrease water usage in landscaped areas and includes provisions for non-seeding varieties of Bermuda sod to be

allowed. Resources from both the Texas Smartscape Database and the Texas Water Development Board guide the proposed Landscape Ordinance amendment.

PROPOSED TREE PRESERVATION ORDINANCE AMENDMENT

Exhibit D, Proposed Amendment to the City of Heath Tree Preservation Ordinance, for the Heathland Crossing development, will align the tree preservation requirements with current industry best practices accounting for both tree species and the size of tree. The proposed amendments aim to incentivize the preservation of "Protected Trees", while providing exemptions for the removal of invasive and destructive "Unprotected Trees".

The amendment includes a list of "Exempt Trees" that have been proven to be invasive and/or destructive to their surrounding environment. These trees present risks of decreased biodiversity, wild-fire acceleration, and overall noxious characteristics. Surrounding jurisdictions in DFW have recognized the undesirable characteristics of the species listed in the "Exempt Trees" list and have excluded them from their preservation/mitigation requirements. Additionally, an increased minimum DBH of 8" is proposed to qualify an existing tree as a "Protected Tree".

The purpose of the proposed amendment is to partner with the City of Heath in its intent on protecting healthy mature trees and promoting the natural ecological, environmental, and aesthetic qualities of the City of Heath. The proposed amendment listed in §158 promotes the preservation of healthy, "Protected Tree" species of ≥8" caliper and allows exemptions for the removal of invasive and/or destructive trees on the "Exempt Trees" list in §158.44. Removing some of the "Non-Protected" trees will allow more ground water to recharge the vital aquifer rather than sustaining undesirable tree species.

Zoning

CONCEPT PLAN: SF-43 ONE ACRE (EXHIBIT A.1)

1. PERMITTED USES.

Unless specifically provided by this Zoning Application, only those uses permitted within the Single-Family Residential (SF-43) District, as stipulated by the Permissible Use Charts contained in Title XV, Land Uses, of the City of Heath, Texas Code of Ordinances, are allowed on the Subject Property.

2. LOT COMPOSITION AND LAYOUT.

The lot layout and composition shall generally conform to the Concept Plan depicted in the Exhibit A.1 and the stated in Table 1, which is as follows:

TABLE 1: Lot Composition (SF-43)		
Min. Lot Size (SF)	*Dwelling Units (#)*	*Dwelling Units (%)*
43,560	115 Max	100%

3. DENSITY AND DIMENSION REQUIREMENTS.

Unless specifically provided by this Zoning Application, the development standards stipulated by the SF- 43 (1.0 Acre), as specified in Title XV, Land Uses, of the City of Heath, Texas Code of Ordinances are applicable to all development on the Subject Property. All lots shall conform to the standards depicted in Table 2, which is as follows:

TABLE 2: City of Heath Lot Dimensional Requirements for SF-43	
Minimum Lot Width[1]	100'
Minimum Lot Depth	175'
Minimum Front Yard Setback[2]	50'
Minimum Side Yard Setback	15'
Minimum Side Yard Setback (Adjacent to Street)[2]	30'
Minimum Length of Driveway Pavement	50'
Maximum Height[3]	35'
Minimum Rear Yard Setback	25'
Minimum Area / Dwelling Unit (SF)	3,200 SF
Maximum Building Coverage as a Percentage of Lot Area	35%
Permitted Encroachment into Required Setbacks	Not Allowed

General Notes

1. The minimum lot width shall be measured at the Front Yard Building Set Back.
2. The location of the Front Yard Building Setback as measured from the front property line.
3. The Maximum Height of the building shall be the vertical distance measured from the average elevation of the finished grade along the front of the building to the average height of the highest roof structure.

4. BUILDING STANDARDS.

All development shall adhere to the following building standards:

a. Masonry Requirement.

The minimum masonry requirement for the exterior facades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full thickness kiln fired brick, stone, granite, marble, stucco, concrete block, stone, glass block unit, or other masonry material of equal characteristics as determined by the Building Official or his or her designee. Stucco and plaster shall be considered masonry material when applied using a three-step process over diamond metal lath mesh to a minimum of seven-eighths of an inch thickness or by other process producing comparable cement stucco finish with equal or greater strength and durability specifications. Cementous siding when applied as an architectural feature shall not

exceed 20% of the total of all sides. The percentage requirement excludes siding above low-pitched roofs.

b. Garage Orientation.

No front entry garages shall be permitted at the 50' front building line. Garages at the 50' front building line must be orientated in a traditional swing (or j-swing) configuration or side entry. Porte cocheres shall be allowed at the 50' front building line. All front facing garages must be setback 75' from the front property line. All garage configurations that are not front entry shall meet the requirements of Title XV, Land Uses, of the City of Heath, Texas Code of Ordinances.

c. Building Permit Release Prior to Substantial Completion

The City Building Official may release up to 5 residential building permits in a new residential subdivision, provided a construction plat has been approved by the City Council and the engineering constructions plans have been approved by the City's public works director and provided the public improvements; an operable water line and fire hydrants and streets with 2 points of access have been completed for the phase in which the building permits are requested. No lot may be sold nor home conveyed until the Final Plat is approved by the City and recorded in the County records.

5. FENCING STANDARDS.

All individual residential fencing and retaining walls shall be architecturally compatible with the design, material, and color of the primary structure on the same lot and meet the following standards:

a. Ornamental Wrought Iron/ Tubular Steel.

All lots shall share the same conformity described in the guidelines within Chapter 157: Fences of the City of Heath, Texas Code of Ordinances. All fences within the front yard and side or rear yards abutting a street may have a maximum height of four feet. Fences on or behind the front building line, except side and rear yards abutting a street, may have a maximum height of eight feet. Fences in front of the front building line of the residence or structure on the subject lot shall be ornamental wrought iron or tubular steel.

6. STREETS.

All streets (excluding drives, fire lanes and private parking areas) shall be built according to City Street standards for fire access and all off-street parking requirements for pavement.

7. STREET LIGHTING.

Streetlights shall conform to the outdoor lighting ordinance effective at the time of engineering plan submittal for the construction of the development. Reference City of Heath lighting ordinance for details.

8. SIDEWALKS.

At a maximum, all sidewalks adjacent to a street shall be located between the curb or grade line of the street and the right of way line, no closer than four (4) feet to the curb or grade line and be four (4) feet in overall width.

9. BURIED UTILITIES.

New distribution powerlines required to serve the Subject Property shall be placed underground, whether such lines are located internally or along the perimeter of the Subject Property, unless otherwise authorized by the City Council. New transmission powerline, or distribution lines, of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Subject Property. The Developer shall not be required to re-locate existing overhead powerlines along the perimeter of the Subject Property, Temporary powerlines constructed across undeveloped portions of the Subject Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the homes and the property line.

10. NEIGHBORHOOD SIGNAGE.

Permanent subdivisions identification signage shall be permitted at all major entry points for the proposed subdivision. Final Design and location of any entry features shall require ARB approval.

11. DRAINAGE STANDARDS.

The proposed drainage areas, flow patterns and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a Conceptual Drainage Plan, which shall be submitted with the Civil Plans at the time of Engineering submittal. The conceptual Drainage plan shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

12. HOMEOWNER'S ASSOCIATION (HOA).

A Homeowners Association shall be created to enforce the restrictions established in accordance with the requirements of the Municipal Code of Ordinances of the City of Heath. The HOA shall also own and maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development. The HOA shall enforce any adopted roof pitch standards on livable structures.

CONEPT PLAN (ALT.): SF-22 HALF ACRE (EXHIBIT A.2)

1. PERMITTED USES.

Unless specifically provided by this Zoning Application, only those uses permitted within the Single-Family Residential (SF-22) District, as stipulated by the Permissible Use Charts contained in Title XV, Land Uses, of the City of Heath, Texas Code of Ordinances, are allowed on the Subject Property.

2. LOT COMPOSITION AND LAYOUT.

The lot layout and composition shall generally conform to the Concept Plan (ALT.) depicted in the Exhibit A.2 and the stated in Table 1, which is as follows:

TABLE 1: Lot Composition (SF-22)		
Min. Lot Size (SF)	*Dwelling Units (#)*	*Dwelling Units (%)*
22,000	115 Max	100%

3. DENSITY AND DIMENSION REQUIREMENTS.

Unless specifically provided by this Zoning Application, the development standards stipulated by the SF- 22 (0.50 Acre), as specified in Title XV, Land Uses, of the City of Heath, Texas Code of Ordinances are applicable to all development on the Subject Property. All lots shall conform to the standards depicted in Table 2, which is as follows:

TABLE 2: City of Heath Lot Dimensional Requirements for SF-22	
Minimum Lot Width[1]	90'
Minimum Lot Depth	175'
Minimum Front Yard Setback[2]	30'
Minimum Side Yard Setback	15'
Minimum Side Yard Setback (Adjacent to Street)[2]	30'
Minimum Length of Driveway Pavement	30'
Maximum Height[3]	35'
Minimum Rear Yard Setback	25'
Minimum Area / Dwelling Unit (SF)	1,500 SF
Maximum Building Coverage as a Percentage of Lot Area	35%
Permitted Encroachment into Required Setbacks	Not Allowed

General Notes

1. The minimum lot width shall be measured at the Front Yard Building Set Back.
2. The location of the Front Yard Building Setback as measured from the front property line.

3. The Maximum Height of the building shall be the vertical distance measured from the average elevation of the finished grade along the front of the building to the average height of the highest roof structure.

4. BUILDING STANDARDS.

All development shall adhere to the following building standards:

a. Masonry Requirement.

The minimum masonry requirement for the exterior facades of all buildings shall be 80%. For the purposes of this ordinance, the masonry requirement shall be limited to full thickness kiln fired brick, stone, granite, marble, stucco, concrete block, stone, glass block unit, or other masonry material of equal characteristics as determined by the Building Official or his or her designee. Stucco and plaster shall be considered masonry material when applied using a three-step process over diamond metal lath mesh to a minimum of seven-eighths of an inch thickness or by other process producing comparable cement stucco finish with equal or greater strength and durability specifications. Cementous siding when applied as an architectural feature shall not exceed 20% of the total of all sides. The percentage requirement excludes siding above low-pitched roofs.

b. Garage Orientation.

No front entry garages shall be permitted at the 30' front building line. Garages at the 30' front building line must be orientated in a traditional swing (or j-swing) configuration or side entry. Porte cocheres shall be allowed at the 30' front building line. All front facing garages must be setback 55' from the front property line. All garage configurations that are not front entry shall meet the requirements of Title XV, Land Uses, of the City of Heath, Texas Code of Ordinances.

c. Building Permit Release Prior to Substantial Completion

The City Building Official may release up to 5 residential building permits in a new residential subdivision, provided a construction plat has been approved by the City Council and the engineering constructions plans have been approved by the City's public works director and provided the public improvements; an operable water line and fire hydrants and streets with 2 points of access have been completed for the phase in which the building permits are requested. No lot may be sold nor home conveyed until the Final Plat is approved by the City and recorded in the County records.

5. FENCING STANDARDS.

All individual residential fencing and retaining walls shall be architecturally compatible with the design, material, and color of the primary structure on the same lot and meet the following standards:

b. Ornamental Wrought Iron/ Tubular Steel.

All lots shall share the same conformity described in the guidelines within Chapter 157: Fences of the City of Heath, Texas Code of Ordinances. All fences within the front yard and side or rear yards abutting a street may have a maximum height of four feet. Fences on or behind the front building line, except side and rear yards abutting a street, may have a maximum height of eight feet. Fences in front of the front building line of the residence or structure on the subject lot shall be ornamental wrought iron or tubular steel.

6. STREETS.

All streets (excluding drives, fire lanes and private parking areas) shall be built according to City Street standards for fire access and all off-street parking requirements for pavement.

7. STREET LIGHTING.

Streetlights shall conform to the outdoor lighting ordinance effective at the time of engineering plan submittal for the construction of the development. Reference City of Heath lighting ordinance for details.

8. SIDEWALKS.

At a maximum, all sidewalks adjacent to a street shall be located between the curb or grade line of the street and the right of way line, no closer than four (4) feet to the curb or grade line and be four (4) feet in overall width.

9. BURIED UTILITIES.

New distribution powerlines required to serve the Subject Property shall be placed underground, whether such lines are located internally or along the perimeter of the Subject Property, unless otherwise authorized by the City Council. New transmission powerline, or distribution lines, of a size not typically or cost effectively placed underground (3-phase lines), or additional lines that are added to existing poles, may be above ground, if located along the perimeter of the Subject Property. The Developer shall not be required to re-locate existing overhead powerlines along the perimeter of the Subject Property, Temporary powerlines constructed across undeveloped portions of the Subject Property to facilitate development phasing and looping may be allowed above ground, but shall not be considered existing lines at the time the area is developed, and if they are to become permanent facilities, such lines shall be placed underground pursuant to this paragraph. Franchise utilities shall be placed within a ten (10) foot public utility easement behind the sidewalk, between the homes and the property line.

10. NEIGHBORHOOD SIGNAGE.

Permanent subdivisions identification signage shall be permitted at all major entry points for the proposed subdivision. Final design and location of any entry features shall require ARB approval.

11. DRAINAGE STANDARDS.

The proposed drainage areas, flow patterns and storm drain system that will be constructed shall be based on the City's drainage criteria and be identified on a Conceptual Drainage Plan, which shall be submitted with the Civil Plans at the time of Engineering submittal. The conceptual Drainage plan shall be reviewed and approved by the Engineering Department in compliance with engineering standards.

12. HOMEOWNER'S ASSOCIATION (HOA).

A Homeowners Association shall be created to enforce the restrictions established in accordance with the requirements of the Municipal Code of Ordinances of the City of Heath. The HOA shall also own and maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, screening fences associated with this development. The HOA shall enforce any adopted roof pitch standards on livable structures.

13. CUL-DE-SAC STANDARDS

2.7 Street System (City of Heath Engineering Design Standards)

2.7 Dead End Streets, Cul-de-Sacs and Courts:

Courts or places may be permitted where the form or contour of the land or the shape of the property makes such street design appropriate. Such cul-de-sacs, courts or places shall provide proper access to all lots and generally not exceed ~~six hundred (600)~~ two thousand (2,000) feet in length, and an additional turnaround shall be provided at the halfway point, and a cul-de-sac shall be provided at the closed end which has a minimum right-of-way radius of sixty (60) feet.

Exhibit C: Landscape Requirements

The City of Heath has adopted a Landscape Ordinance as of March 12, 2024. The Development shall meet the standards, except as follows:

Amendment to include additional landscape requirements as outlined below.

§99.03 (A)(3) Bermuda sod may be selected as acceptable plant material in addition to the "Texas SmartScape" program database as shown below.

A. LANDSCAPE REQUIREMENTS

1. In landscape areas less than 48" wide, materials such as river rock, crushed granite, or similar products may be utilized in place of turf grass.
2. If irrigation is proposed, the irrigation controllers shall be WaterSense Weather-Based (WBIC) or Soil Moisture-Based (SMS) type. Trees shall be watered with bubblers if irrigation systems are proposed.

3. All HOA Landscape Lots shall be limited to fifty (50%) percent turf grass coverage. On these same lots, two (2) trees and four (4) shrubs are required for every 600 square feet of landscape and setback areas. Exceptions to this requirement will be made to areas left in their natural state.

§99.03 CITY-WIDE LANDSCAPING STANDARDS

(A) Use of Drought-Tolerant Vegetation

3) Plants not listed on the "Texas SmartScape program plant database may be used as follows:

a. Existing trees and shrubs may be incorporated into landscaped area;

b. Plants grown for human consumption on a personal household basis, such as vegetables, fruits, and herbs; ~~and~~

c. Plants grown in above ground pots or planters~~.~~;and

d. Bermuda sod and seed may be used as turf grass groundcover.

Exhibit D: Tree Preservation Requirements

The Development shall meet the standards of the Tree Preservation Requirements adopted by The City of Heath, except as follows:

§158.37 DEFINITIONS. Amendment to the term "PROTECTED TREE".

§158.37 DEFINITIONS. Amendment to add the term "UNPROTECTED TREE".

§158.41 TREE REPLACEMENT (B). Amendment to replacement tree rates.

§158.42 FEE IN LIEU OF TREE REPLACEMENT (D). Amendment to use of fees limitation.

§158.44 EXEMPTIONS AND EXCEPTIONS. Amendment to add list of "EXEMPT TREES".

§ 158.37 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DRIP LINE. A vertical line that runs through the outermost portion of the crown of a tree and extending to the ground.

PROTECTED TREE. A tree of any species not listed on the "Exempt Trees" list detailed in §158.44, which has a diameter of ~~three~~ eight (8) inches or greater measured at a point four and one-half feet above ground level, which if removed, shall be subject to replacement and mitigation in conformance with the methods and procedures described in this subchapter.

REPLACEMENT TREE. A tree species included in the qualified tree list detailed in § 158.45 as adopted by the City Council, as amended by the City Council from time to time, of which is required to replace a removed protected tree in conformance with the methods and procedures described in this subchapter. ***REPLACEMENT TREES*** shall be of the minimum diameter width established in § 158.41(C).

TREE. A self-supporting woody perennial plant which has a trunk diameter of three inches or more when measured at a point four and one-half feet above ground level and which normally attains a height of at least 20 feet at maturity, usually with one main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oaks.

TREESCAPE PLAN. A graphic representation drawn to the largest scale practical showing the exact location, size (trunk diameter and height), and common name of all protected trees and indication of which trees are to be removed or replaced. The ***TREESCAPE PLAN*** requirements are more fully described in § 158.38.

UNPROTECTED TREE. A tree of any species listed on the "Exempt Trees" list detailed in §158.44, and/or any tree which has a diameter of less than eight (8) inches measured at a point four and one-half feet above ground level, which if removed, shall not be subject to replacement and mitigation in conformance with the methods and procedures described in this subchapter.

(2005 Code, § 13-2-3) (Ord. 200825A, passed 8-25-2020)

§ 158.41 TREE REPLACEMENT.

(A) As a condition of approval by the City Council of a treescape plan, the property owner will be required to replace the protected trees being removed from the property with approved replacement trees. Said replacement trees shall be planted on the same property on which the protected trees were removed at the property owner's sole cost. The property owner is not authorized to plant the replacement trees at any offsite location unless pre-approved by the City Council at the applicant's request, of which shall be decided at the sole discretion of the City Council.

(B) ~~Replacement trees shall be equal in diameter to the diameter of the former protected tree. For example, if a nine-inch diameter protected tree is removed, it may be replaced by either: (1) three replacement trees of three inches in diameter each; (2) two replacement trees, one of four-inch diameter and one of five-inch diameter; or (3) a single replacement tree of~~

~~nine-inch diameter~~ Protected Trees shall be replaced by planting trees on the property equal to the total caliper inches as calculated using the following replacement rate.

DBH of Protected Tree*	Percentage Replacement Trees**
<8"	0%
8"-12"	100%
12.1"-24"	150%
24.1" or greater	200%
*"Protected Tree" defined in § 158.37 DEFINITIONS. For multiple trunk trees, combine the diameter of largest stem with one-half of the diameter of each additional stem, all measured at four and one half (4 ½) feet above ground level.	
** See § 158.41 TREE REPLACEMENT (C) for replacement tree standards.	

(C) Replacement trees shall be a minimum of three-inch diameter, measured at four and one-half feet above the ground, and measured seven feet in height when planted. Replacement trees shall be selected from the qualified tree list.

(D) The qualified tree list detailed in § 158.45 shall be approved by the City Council, as amended from time to time.

(E) Property owners shall maintain replacement trees in healthy, growing conditions after planting.

(F) Replacement trees shall not be planted within an area where:

(1) The mature root system may interfere with underground public utility lines;

(2) The mature canopy of the tree may interfere with overhead utility lines; or

(3) Within five feet of a fire hydrant, water or sewer line.

(2005 Code, § 13-2-7) (Ord. 200825A, passed 8-25-2020)

§ 158.42 FEE IN LIEU OF TREE REPLACEMENT.

(A) Upon a voluntary request of the property owner, the City Council, in its sole discretion, may allow the property owner to pay a fee in lieu of tree replacement required under § 158.41, subject to division (D) below.

(B) The amount of the payment required in lieu of each replacement tree shall be the average cost of a tree listed on the qualified tree list that is of similar size and type to the replacement tree(s) required under this subchapter, plus the cost of planting said tree(s), based upon current market cost as determined and adopted by the City Council and provided in a fee schedule published by the city.

(C) *Tree Preservation Fund.* All fees paid to the city under this subchapter shall be deposited into the Tree Preservation Fund. The fund shall be administered by the City Manager or his or her

designee. The fund shall be used for: (1) acquiring real property, including conservation easements which shall remain in a naturalistic state in perpetuity; (2) establishing a landscape or wildlife preserve or similar natural area as approved by City Council; or (3) the planting of trees on city-owned or leased properties, rights-of-way and other public properties located within the city, such as on public school grounds, county property or state property, at the city's sole discretion.

(D) *Limitation on the use of fees in lieu of tree replacement.* Voluntary requests for waivers to the tree replacement provisions of this subchapter may be applied to 100% ~~shall not exceed 40%~~ of the total number of diameter inches of protected trees to be replaced located outside of a government-designated floodplain zone.

(Ord. 200825A, passed 8-25-2020)

§ 158.44 EXEMPTIONS AND EXCEPTIONS.

(A) *Exemptions.* This subchapter does not apply to:

(1) *Final plats.* Any development that has received final plat approval prior to the effective date of this subchapter;

(2) *Homeowners.* The owner of property containing a single-family residence or duplex which has qualified for the homestead exemption up to three acres in size;

(3) *Public property.* All rights-of-way, easements or similar types of public property maintained by the city; and

(4) *Utility property.* All rights-of-way, easements or similar types of public property maintained by a public utility franchised by the city. Utility companies may prune trees as necessary to reestablish disrupted service or maintain existing service.

(B) *Other exceptions.* In the event that any protected tree shall be determined to be in a hazardous or dangerous condition so as to endanger the public health, welfare or safety, and require immediate removal without delay, authorization may be given by the Building Official or his or her designee and the tree may then be removed without obtaining approval as herein required. Examples of this exception may include, but are not limited to:

(1) *Damaged/diseased trees.* The tree is dead, diseased or damaged beyond the point of recovery, or is in danger of falling;

(2) *Public safety.* The tree creates unsafe vision clearance or conflicts with other ordinances or regulations, or the tree is determined to be in a hazardous or dangerous condition so as to endanger the public health, welfare or safely, or the tree poses an imminent or immediate threat to person or property; and

(3) *Utility service interruption.* When a tree has disrupted a public utility service either due to normal growth of the tree or as a result of a tornado, flood or other act of God, the tree may be removed as needed; however, removal shall be limited to the part of the tree which is found necessary to be removed to reestablish and maintain utility service.

(4) *Exempt Trees.* The following species of trees are exempt from the protection and preservation requirements stated within this section except when these species have a DBH of twenty-four (24) inches or greater.

Species	Common Name
Juniperus virginiana	Eastern Red Cedar
Celtis laevigata	Hackberry, Texas Sugarberry
Prosopis glandulosa	Mesquite
Poplus deltoides	Cottonwood
Willow sp.	Willow
Gleditsia triacanthos	Honey Locust
Maclura pomifera	Bois d' Arc
Mimosa sp.	Mimosa
Melia azedarach	Chinaberry

(2005 Code, § 13-2-9) (Ord. 200825A, passed 8-25-2020)

Exhibit E: Conformance with Comprehensive Plan

POPULATION GROWTH AND CAPACITY

City of Heath | 2018 Comprehensive Plan

Table 6. Ultimate Population Capacity

Assessment Area	Existing Dwellings	Platted Lots	Unplatted Residential Acreage			
			RE	MDR	HDR	TH
Area 1	1,076	152	267	79	0	12
Area 2	440	79	1,116	0	0	0
Area 3	90	66	581	0	0	0
Area 4	20	752	4	0	0	0
Area 5	340	1,049	83	14	0	27
Area 6	1,256	247	157	0	0	0
Gross Total Acres			2,208	93	0	39
ROW Adjustment			10%	15%	20%	30%
Net Total Acres			1,987	79	0	27
Unplatted Acres to Dwellings			0.7 DUA	2 DUA	4 DUA	8 DUA
			1,391	158	0	218
Ultimate Dwellings	3,222	2,345	1,391	158	0	218
						7,335
Occupancy Rate*						92.4%
Household Size*						3.1
Ultimate Population						**21,009**

*2011-2015 ACS Estimate

Assessment Area	Existing Dwellings	Platted Lots	Number of Lots from Unplatted Acreage	Ultimate Dwellings	Area Ultimate Population
Area 1	1,076	152	370	1,598	**4,576**
Area 2	440	79	703	1,222	**3,501**
Area 3	90	66	366	522	**1,495**
Area 4	20	752	3	775	**2,219**
Area 5	340	1,049	227	1,616	**4,630**
Area 6	1,256	247	99	1,602	**4,589**
Ultimate Population					**21,009**

Total Lots: 115

Total Acreage: 158.2 AC

Dwelling Units per Acre: 115/158.2 = 0.7 DUA – unchanged from Ultimate Population Capacity

RESIDENTIAL DIVERSITY AND UNIQUE DEVELOPMENT

The development will provide a diverse range of highly valued, well-designed residential properties oriented to amenities. The property's unique layout and amenities are as follows:

1. DEVELOPMENT AMENITIES

a. Natural buffering of Ridge Road, White Road, and Heathland Crossing.

b. Trail easement dedication on Heathland Crossing to provide continued access to trails.

c. Proximity to public schools

   i. Amy Parks-Heath: PreK – 6

   ii. Maurine Cain: Middle School

   iii. Rockwall-Heath: High School

d. Within 1.5 miles of Heath's Towne Center Park.

e. Accessibility to natural areas via inner trail network.

f. Accessibility to existing floodplain and ponds via inner trail network, making these areas a valued destination within the neighborhood.

2. INDIVIDUAL PROPERTY CHARACTERISTICS

a. Anti-monotony standards will be met throughout the subdivision as outlined in §153.066 Appearance Code in the City of Heath Zoning Ordinance.

b. Architectural design will vary in materials, elements, and color catering to each individual home.

c. Layout allows for lots to be enveloped by surrounding preserved open space areas.

d. Accessibility to preserved, green open space areas.

e. Single loaded streets and open-ended cul-de-sacs will provide open access to the site's ponds and preserved natural areas for the enjoyment of the community.

3. PRESERVATION OF EXISTING NEIGHBORHOOD FEATURES

The existing natural features of the neighborhood will become an integral part of the community. Heathland Crossing aims to preserve the trees, improve the existing ponds, and create walkable areas throughout. The goal of preservation is to seamlessly blend organic landscapes, state of the art infrastructure and architectural design elements to nurture a deep sense of pride among residents.

4. INTEGRATION OF NATURAL DRAINAGE COURSES

a. Utilizing neighborhood trail networks to integrate areas that are not developable.

b. Improving the floodplain and existing ponds will ensure that these areas can significantly contribute to the overall value of the neighborhood.

5. SAFE STREETS AND PEDESTRIAN TRANSPORTATION

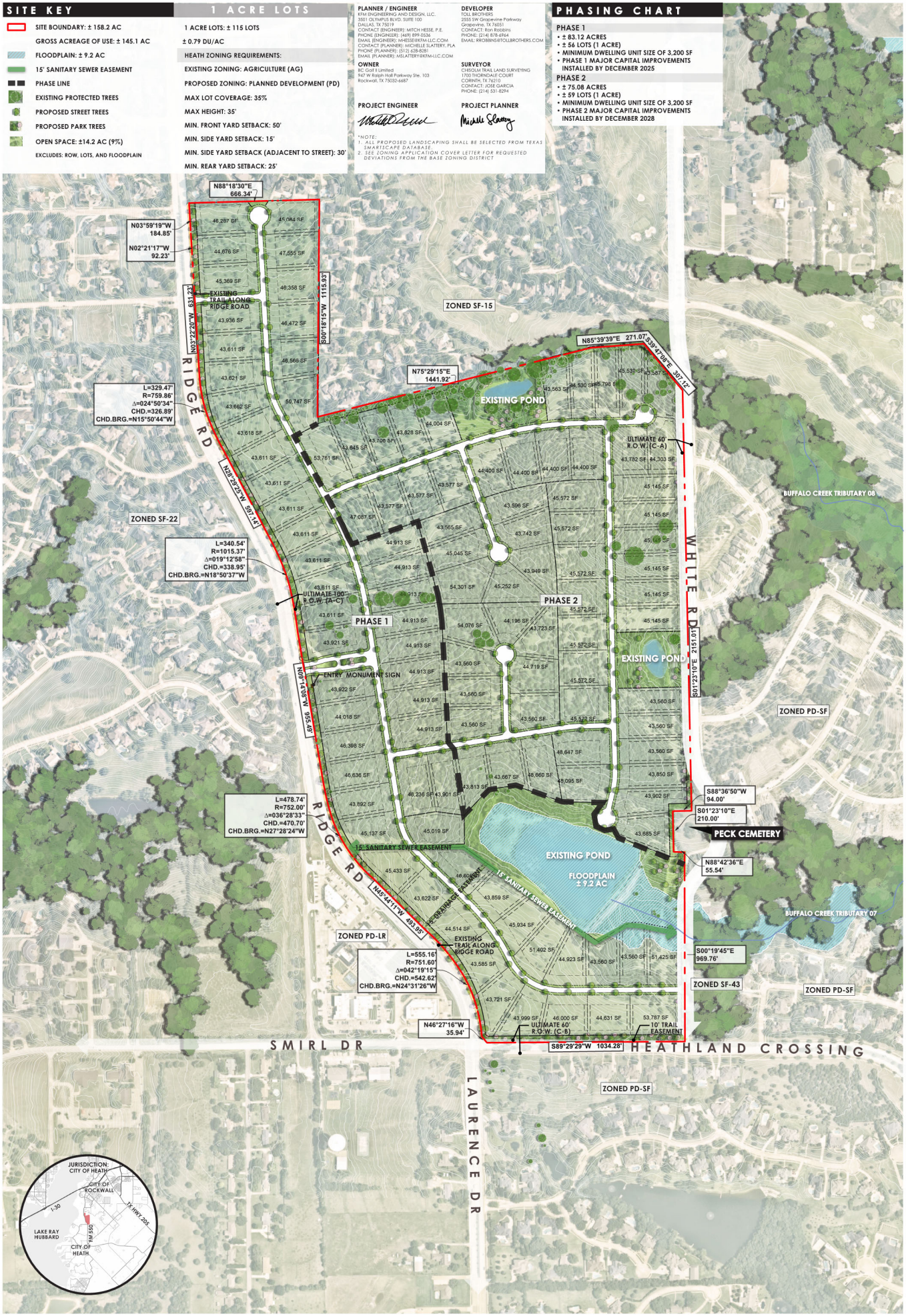
a. Gently curved roadways with streetscape elements.

b. Homes face onto streets with eyebrows, courts, and loops to enhance lot value.

c. Two visually appealing entrances with streetscape elements such as entry monuments, median planting, and lighting.

d. Continuous sidewalks and safe pedestrian/bicycle paths throughout the neighborhood.

Landscape buffering techniques will contribute to the walking and biking safety on the public trails around the development.



KFM ENGINEERING & DESIGN

Conceptual Site Plan - One Acre Lots

PERRY TRACT - TOLL BROTHERS

0 100 200 400
Scale: 1"=200'

05/16/24

THE INFORMATION SHOWN IS BASED ON THE BEST INFORMATION AVAILABLE AND IS SUBJECT TO CHANGE WITHOUT NOTICE

FilePath:K:\Projects\010170\005\planning\20240318_Concept04\indd\HeathlandCrossingConceptualSitePlan-OneAcreLots

ZA-2024-01 Heathland Crossing Perry PD-SF43

ORDINANCE COMPLIANCE MATRIX: Planned Development for SF-43 Residential Uses			
Deficiencies in RED must be addressed in writing or with revisions before the public meeting.			
Ordinance Requirement		**§ 159.21 (SF-43) Regulations and § 159.28 (PD) Regulations**	**Application COMPLIANCE**
1.	Min Residential Lot Area	1.0 acre developable, 43,560 SF; 159.28(D)(1)(a) Average lot size shall remain one acre	1.0 acre developable; 43,560 SF
2.	Maximum # Main Dwellings	one	one
3.	Minimum SF/Dwelling	3,200 SF	1,500 SF
4.	Minimum Lot width	100 feet	100 feet
5.	Mimum Lot Depth	175 feet	175 feet
6.	Minimum Front Setback	50 feet	50 feet
7.	Minimum Rear Setback	25 feet	25 feet
8.	Minimum Side Setback	a. Internal Lot: 15 feet b. Abutting street: 30 feet	Internal Lot: 15 feet Abutting street: 30 feet
9.	Minimum Driveway Length	50 feet	50 feet
10.	Maximum Building Height	35 feet	35 feet
11.	Maximum Building Coverage	35%	35%
12.	Permitted encroachment into required setbacks	Not allowed	Not allowed
13.	Requested Variances (See Exhibit C)	**1. Lot-to-Lot Drainage** **2. Landscape & Irrigation Ordinance amendment to decrease water usage, allow non-seeding Bermuda, and other requirements.** **3. Tree Preservation Ordinance amendment to remove invasive and destructive "unprotected trees"; add a list of "exempt trees"; increase minimum diameter to 8" for "protected trees";**	
14.	Masonry Requirement	NA	100%
15.	Garage Orientation	NA	No front facing @ 50' BL; J-swing or side entry. Front facing setback 75'
16.	Fencing	Conform to Chapter 157: Fences	Conform to Chapter 157: Fences
17.	Neighborhood Signage	Entry features require ARB approval	Entry features require ARB approval

ORDINANCE COMPLIANCE MATRIX: Planned Development for SF-43 Residential Uses	
Deficiencies in RED must be addressed in writing or with revisions before the public meeting.	
§ 159.28 (E)(1)(b) PD Concept Plan Requirements	**Application COMPLIANCE**
1. Metes and bounds description	Provided
2. Floodplains/water bodies, drainage areas, significant natural features	Provided
3. Proof of ownership	Provided
4. Land uses, lot layout, open sapce, area requirements	Provided
5. Access points and street network	Provided
6. Acreage by land use category	Provided
7. Development Phasing Plan	Provided
8. Public and private open space acreage	Alt 1: 67.3 acres ... Alt 2: 14.2 acres
9. Abutting zoning and dimensions of ROW bounding the site	None shown
10. Screening location and height	None shown
11. Landscaped areas & reserved open space to be retained	Provided
12. Estimates of traffic volumes and turning movements may be required	Not required at this time
13. Location map	Provided
14. Phasing plan to include sequence of development and time schedule for installation of major capital improvements	Provided
15. Phasing Chart	Provided
16. HOA & covenants description	Provided
17. Description of requested deviations from base zoning and other special development standards	Provided

City of Heath, Texas
Development Review Committee Comments: April 30, 2024
Heathland Crossing Planned Development (ZA-2024-01)

Applicant: Jim Knight, KFM, jim@kfm-llc.com, mhesse@kfm-llc.com, (940)768-9371

Owner: BC Golf II Ltd, 947 W Ralph Hall Pkwy, Rockwall, TX 75032

The City of Heath received an application for the above-referenced zoning change on **April 17, 2024.**

The Staff Development Review Committee (DRC) has reviewed the application and provided the following comments.

Legend:
(I) Comment is provided for informational purposes only.
(R) Comment requires a response and/or revision to the submitted plans or documents.

Contact Information for DRC Members:

AA: Aaron Adel, Director of Planning, aadel@heathtx.com (972) 961-4875
BP: Brandon Peterson, Fire Marshall, bpeterson@heathtx.com (972) 961-4954
KL: Kevin Lasher, Assistant City Manager, klasher@heathtx.com (972) 961-3066.
LP: Leisa Price, Building Official, lprice@heathtx.com (972) 961-4880.
BC: Bryan Creek, Public Works Director, bcreed@heathtx.com (972)961-4870
MS: Mike Shook, CIP Manager, mshook@heathtx.com (972) 961-4885.
RD: Richard Dormier, City Engineer, richard@fmi-dallas.com (214) 503-0555

---

1. **(I)** Staff Case Manager: Aaron Adel

2. **(I)** This Planned Development will be reviewed by the Planning and Zoning Commission and City Council on the following schedule. **The owner/applicant and/or their representative should attend the following meetings:**

   Planning and Zoning Commission meeting: June 4, 2024 @ 6:30pm

   City Council meeting: June 25, 2024 @ 6:30pm

1. **(I) ITEM TITLE:** Case No. ZA-2024-01: Consider and [make a recommendation/act] on an application for zoning change from (A) Agricultural District to (PD-SF) Planned Development for either (SF-22) or (SF-43) Single Family Residential Uses on 145.1 acres of land located at the northeast corner of FM 740/Ridge Road and Heathland Crossing, further described as Abstract 207 E Teal Survey, Lot 55, City of Heath, Rockwall County, Texas. Rockwall CAD ID 12706.

2. **(I) CURRENT ZONING:** (A) Agricultural District City of Heath 159.20 (A) Agricultural District

3. **(I) REQUESTED ZONING AMENDMENT:** The application requests (PD) Planned Development zoning and includes two base zoning alternatives. City of Heath 159.28 (PD) Planned Development District

   - **Alternate 1:** (PD-SF) for SF-22 Single Family Residential Uses City of Heath 159.22 (SF-22) Single Family Residential District
   - **Alternate 2:** (PD-SF) for SF-43 Single Family Residential Uses City of Heath 159.21 (SF-43) Single Family Residential District

4. **(I) BACKGROUND:**

   a. Following the zoning change, a preliminary and final plat will be required to create this subdivision.

   b. In accordance with the Tree Preservation Ordinance in § 158.35 – 158.48, a treescape plan and mitigation will be required with the preliminary plat of this subdivision.

   c. The site is served by city water and city sewer. **RD**

   d. The application includes the following Exhibits:

      - Exhibit A.1: Concept Plan for Alternate 1 SF-22 Half Acre Lots
      - Exhibit A.2: Concept Plan for Alternate 2 SF-43 One Acre Lots
      - Exhibit B: Development Standards with two Alternates and the four Proposed Agreements:
      - Exhibit C: Landscape Requirements
      - Exhibit D: Tree Preservation Requirements
      - Exhibit E: Conformance with Comprehensive Plan

5. **(I) PUBLIC NOTIFICATION:** Notice of Public Hearing will be] published in the Dallas Morning news, on the city's website, and mailed to neighbors within 500' **by May 17, 2024**.

6. **(I) FINANCIAL IMPACT:** In accordance with Appendix I, Parkland Dedication and Park Development Fees (Ordinance No. 180327B), the following fees will be required before filing a final plat at the courthouse.

Fee-In-Lieu of Land Dedication:	$2,246.94 per Dwelling Unit
Park Development Fee:	$1,293.19 per Dwelling Unit
Park Fees:	**$3,540.13 per Dwelling Unit**
Total Park Fees for 112 Dwelling Units:	**$396,494.56**

7. **(I) LEGAL IMPACT:** Zoning decisions are discretionary and must conform to the Comprehensive Plan.

8. **(I) COMPREHENSIVE PLAN IMPACT:** The Future Land Use Plan designates the subject site as Rural Estates land use. Alternate 1 does not conform to this designation, but Alternate 2 does.

9. **(R) COMPLIANCE SUMMARY:**

   a. **(R)** A variance will be required to § 159.22 (A) (1) "SINGLE-FAMILY RESIDENTIAL DISTRICT" of the Code of Ordinances, which states: "This district is an obsolete, inactive district with legal nonconforming status. The city may not accept zoning applications for this district. Legal nonconforming structures in this district are subject to the regulations herein, which are retained in this code for enforcement purposes." **KL**

   b. **(R)** The four Proposed Agreements do not conform to city ordinances and would require the City Council to grant variances and/or text amendments to accommodate: Lot to Lot Drainage, Cul-de-sac Length, Proposed Landscape Ordinance Amendment, and Proposed Tree Preservation Ordinance Amendment. **AA**

   c. **(R)** Provide revisions and/or responses to address all items noted in red text on the attached Compliance Matrices. **AA**

EXHIBIT _____

GENERAL NOTES

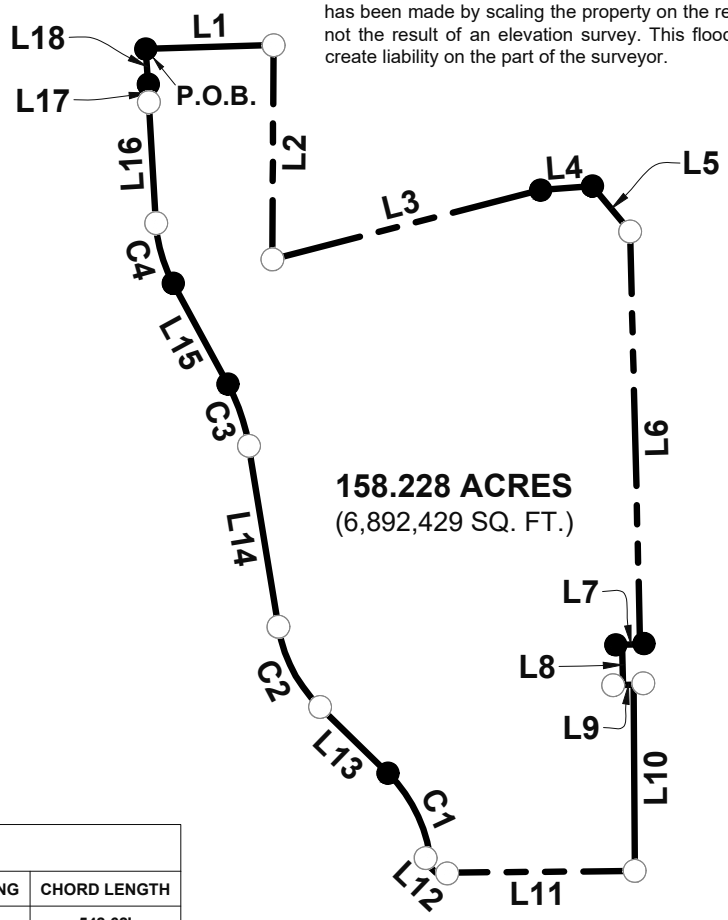
1. Bearing based on Texas State Plane Coordinates, North Central Zone, 4202, NAD83-US Survey feet, derived from GPS observations.
2. All "CIRS" are 1/2-inch iron rod with plastic cap stamped "RPLS 6677" unless otherwise noted.

FLOOD STATEMENT

This site is situated in Shaded Zone "A" and Non-Shaded Zone "X", in the City of Heath, Rockwall County, Texas according to FEMA map number 48397C0105L, dated September 26, 2008. Warning: This statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This determination has been made by scaling the property on the referenced map and is not the result of an elevation survey. This flood statement shall not create liability on the part of the surveyor.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N88°18'30"E	666.34'
L2	S00°18'15"W	1115.93'
L3	N75°29'15"E	1441.92'
L4	N85°39'39"E	271.07'
L5	S39°47'08"E	307.12'
L6	S01°23'10"E	2151.01'
L7	S88°36'50"W	94.00'
L8	S01°23'10"E	210.00'
L9	N88°42'36"E	55.54'
L10	S00°19'45"E	969.76'
L11	S89°29'29"W	1034.28'
L12	N46°27'16"W	35.94'
L13	N45°44'11"W	493.95'
L14	N09°14'08"W	955.49'
L15	N28°29'25"W	597.14'
L16	N03°22'20"W	631.23'
L17	N02°21'17"W	92.23'
L18	N03°59'19"W	184.85'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	555.16'	751.60'	42°19'15"	N24°31'26"W	542.62'
C2	478.74'	752.00'	36°28'33"	N27°28'24"W	470.70'
C3	340.54'	1015.37'	19°12'58"	N18°50'37"W	338.95'
C4	329.47'	759.86'	24°50'34"	N15°50'44"W	326.89'



GRAPHIC SCALE

0' 1000' 2000'

1" = 1000'

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

LEGEND / ABBREVIATIONS

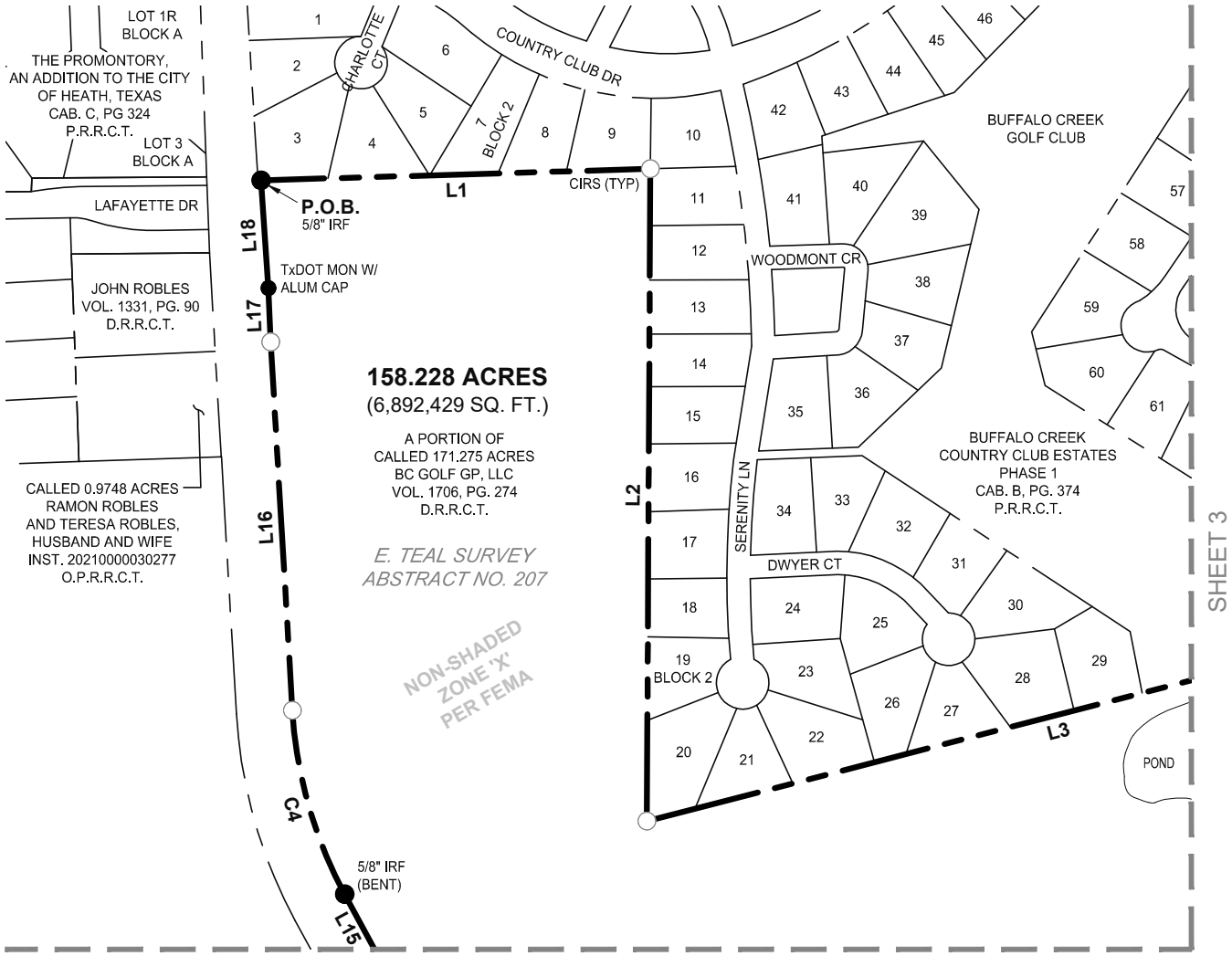
	BOUNDARY LINE
●	IRON ROD FOUND
○	CAPPED IRON ROD SET
POB	POINT OF BEGINNING

CHISHOLM TRAIL LAND SURVEYING
TX FIRM #10194767
MICHAEL R. KERSTEN, RPLS 6677
INFO@CTLS-LLC.COM
940.367.7188

KFM ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=1000'	DATE: 05/13/2024	SHEET: 1 OF 9

EXHIBIT _____



LEGEND / ABBREVIATIONS

	ADJOINER LINE
	BOUNDARY LINE
	FEMA FLOOD LINE
	IRON ROD FOUND
	CAPPED IRON ROD SET
O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	CAPPED IRON ROD SET
POB	POINT OF BEGINNING

GRAPHIC SCALE

0' 300' 600'

1" = 300'

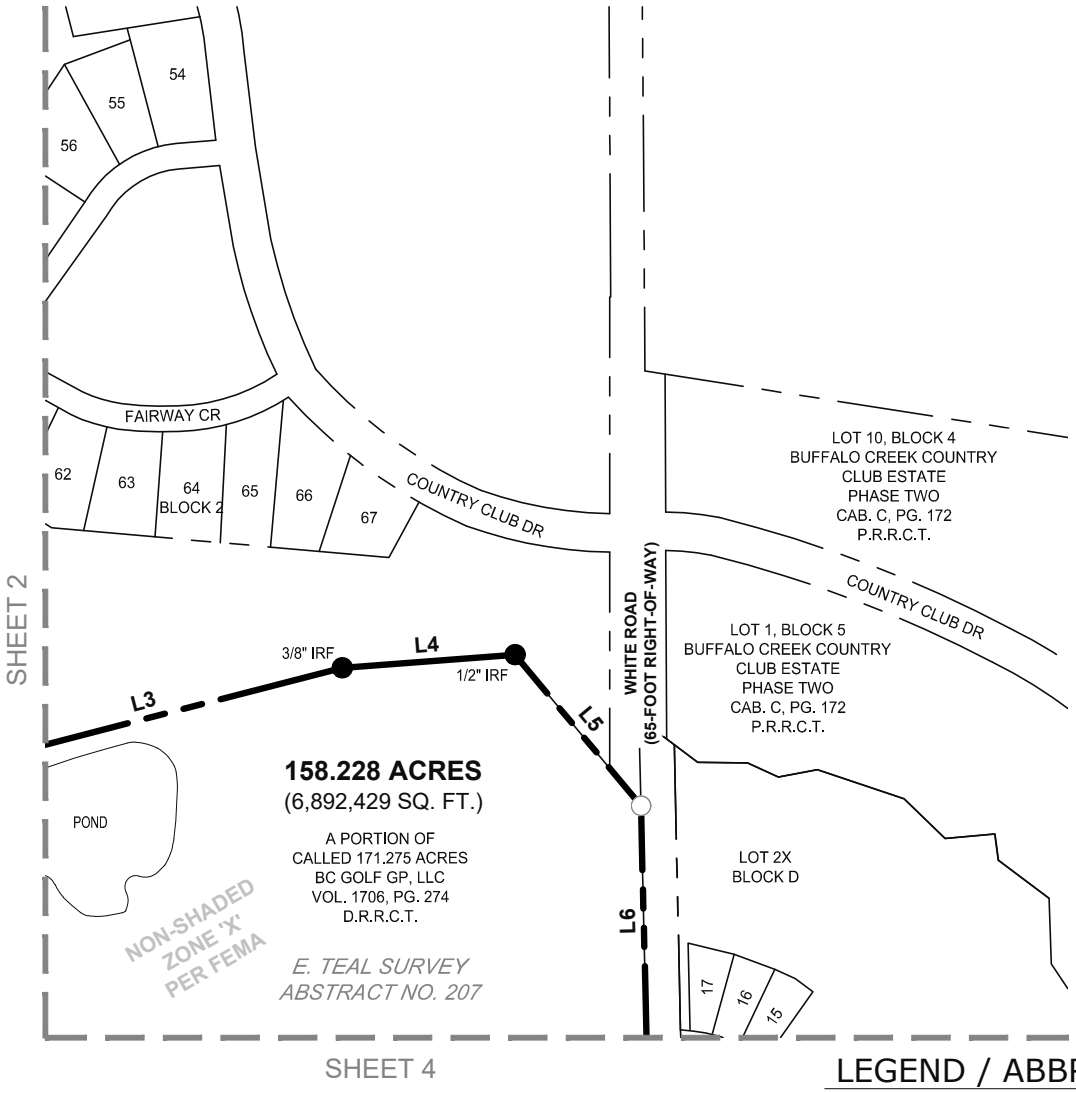
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PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 2 OF 9

EXHIBIT _____



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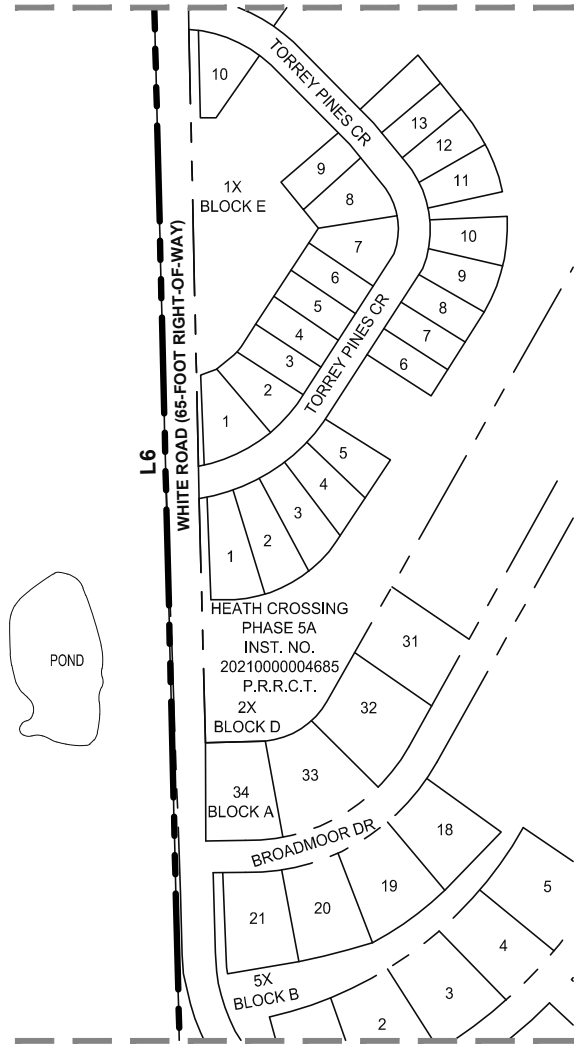
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PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 3 OF 9

EXHIBIT _____

SHEET 3



NON-SHADED ZONE 'X' PER FEMA

158.228 ACRES
(6,892,429 SQ. FT.)

A PORTION OF
CALLED 171.275 ACRES
BC GOLF GP, LLC
VOL. 1706, PG. 274
D.R.R.C.T.

E. TEAL SURVEY
ABSTRACT NO. 207

POND

SHEET 5

GRAPHIC SCALE

0' 300' 600'

1" = 300'

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
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CITY OF HEATH
ROCKWALL COUNTY, TEXAS

LEGEND / ABBREVIATIONS

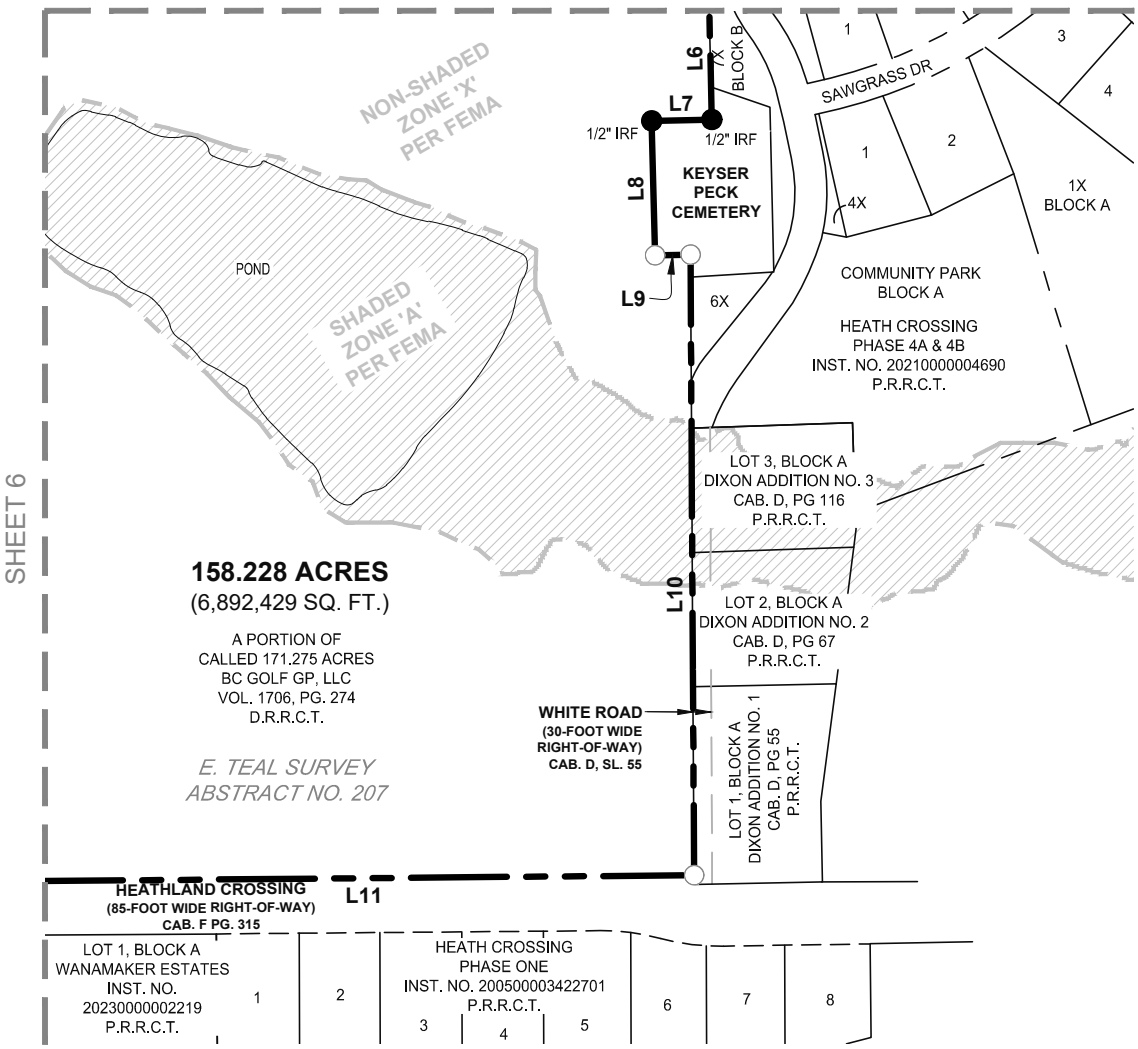
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CIRS	CAPPED IRON ROD SET
POB	POINT OF BEGINNING

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PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 4 OF 9

EXHIBIT _____



LEGEND / ABBREVIATIONS

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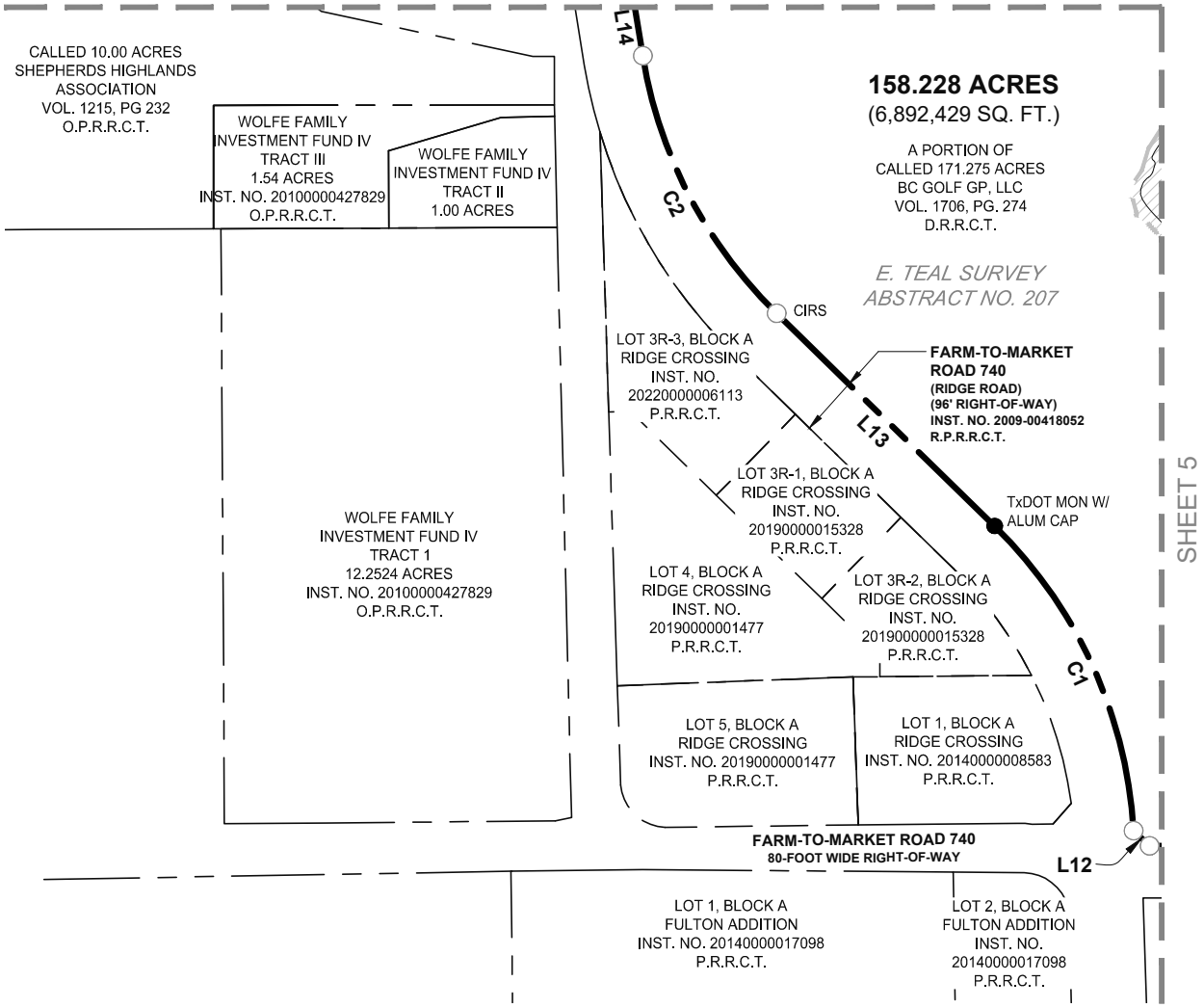
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PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 5 OF 9

EXHIBIT _____



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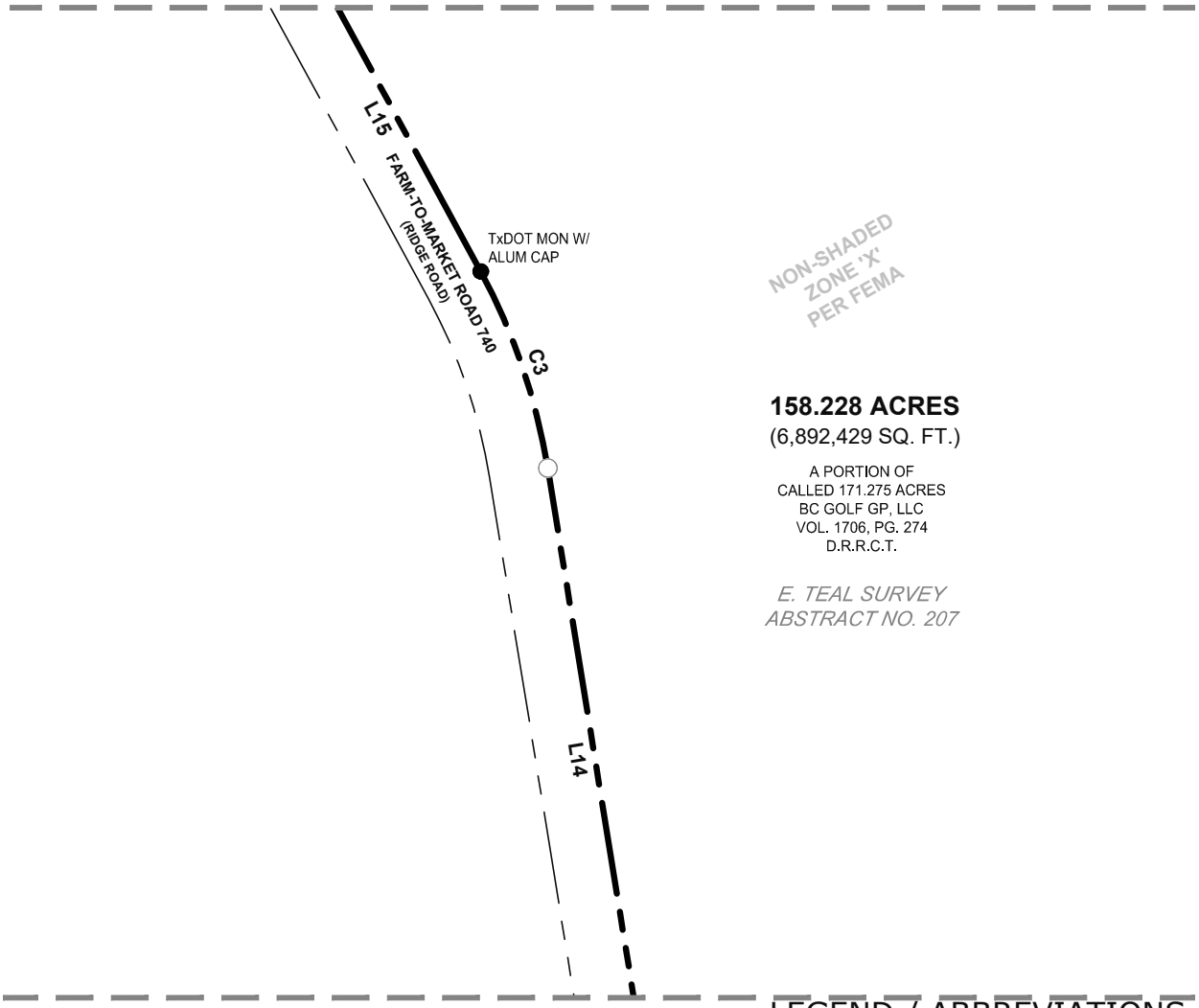
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PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 6 OF 9

EXHIBIT _____

SHEET 2



158.228 ACRES
(6,892,429 SQ. FT.)

A PORTION OF
CALLED 171.275 ACRES
BC GOLF GP, LLC
VOL. 1706, PG. 274
D.R.R.C.T.

E. TEAL SURVEY
ABSTRACT NO. 207

SHEET 6

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ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
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CITY OF HEATH
ROCKWALL COUNTY, TEXAS

LEGEND / ABBREVIATIONS

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PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 7 OF 9

EXHIBIT _____

LEGAL DESCRIPTION
158.228 ACRES

Being all that certain tract or parcel of land lying and being situated in the E. Teal Survey, Abstract Number 207, City of Heath, Rockwall County, Texas, and being a part of a called 171.275 acres, described in a deed to BC Golf GP, LLC, recorded in Volume 1706, Page 274, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northwest corner of the herein described tract and being on the east right-of-way line of F.M. Road 740;

THENCE North 88° 18' 30" East with a north line of said BC Golf tract, a distance of 666.34 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for the northern most northeast corner of said BC Golf tract;

THENCE South 00° 18' 15" West with an east line of said BC Golf tract, a distance of 1115.93 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for an inner ell corner of said BC Golf tract;

THENCE North 75° 29' 15" East with a north line of said BC Golf tract, a distance of 1441.92 feet to a 3/8 inch iron rod found for angle point;

THENCE North 85° 39' 39" East continuing with a north line of said BC Golf tract, a distance of 271.07 feet to a 1/2 inch iron rod found for angle point;

THENCE South 39° 47' 08" East continuing with a north line of said BC Golf tract, a distance of 307.12 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for the eastern most northeast corner of said BC Golf tract;

THENCE South 01° 23' 10" East with an east line of said BC Golf tract, a distance of 2151.01 feet to a 1/2 inch iron rod found for corner on the north line of Keyser Peck Cemetery;

THENCE South 88° 36' 50" West with a south line of said BC Golf tract and the north line of said Keyser Peck Cemetery, a distance of 94.00 feet to a 1/2 inch iron rod found for the inner ell corner of said BC Golf tract and the northwest corner of said Keyser Peck Cemetery;

THENCE South 01° 23' 10" East with a east line of said BC Golf tract and a west line of said Keyser Peck Cemetery, a distance of 210.00 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for an inner ell corner of said BC Golf tract and the southwest corner of said Keyser Peck Cemetery;

THENCE North 88° 42' 36" East with a north line of said BC Golf tract and the south line of said Keyser Peck Cemetery, a distance of 55.54 feet to a 1/2 inch iron rod found;

THENCE South 00° 19' 45" East with a east line of said BC Golf tract, a distance of 969.76 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner on the north right-of-way line of Heathland Crossing

THENCE South 89° 29' 29" West with the north line of Heathland Crossing, a distance of 1034.28 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" at the intersection of the north line of Heathland Crossing and the east line of F.M. Road 740;

THENCE North 46° 27' 16" West with the east line of F.M. Road 740, a distance of 35.94 feet to the beginning of a non-tangential curve to the left;

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

CHISHOLM TRAIL
LAND SURVEYING
TX FIRM #10194767
MICHAEL R. KERSTEN, RPLS 6677
INFO@CTLS-LLC.COM
940.367.7188

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3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
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TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: N/A	DATE: 05/13/2024	SHEET: 8 OF 9

EXHIBIT _____

LEGAL DESCRIPTION (CONTINUED)
158.228 ACRES

THENCE with the east line of F.M. Road 740 and said curve to the left, having a radius of 751.60 feet, a central angle of 42° 19' 15", an arc length of 555.16 feet, a chord that bears North 24° 31' 26" West, a distance of 542.62 feet to an aluminum disk found for corner

THENCE North 45° 44' 11" West with the east line of F.M. Road 740, a distance of 493.95 feet to the beginning of a non-tangential curve to the right at a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE with the east line of F.M. Road 740 and said curve to the right, having a radius of 752.00 feet, a central angle of 36° 28' 33", an arc length of 478.74 feet, a chord that bears North 27° 28' 24" West, a distance of 470.70 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE North 09° 14' 08" West with the east line of F.M. Road 740, a distance of 955.49 feet to the beginning of a curve to the left at a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE with the east line of F.M. Road 740 and said curve to the left, having a radius of 1015.37 feet, a central angle of 19° 12' 58", an arc length 340.54 feet, a chord that bears North 18° 50' 37" West, a distance of 338.95 feet to a point at the end of said curve;

THENCE North 28° 29' 25" West with the east line of F.M. Road 740, a distance of 597.14 feet to the beginning of a non-tangential curve to the right at a 5/8 inch iron rod found "bent" for corner;

THENCE with the east line of F.M. Road 740 and said curve to the right, having a radius of 759.86 feet, a central angle of 24° 50' 34", an arc length 329.47 feet, a chord that bears North 15° 50' 44" West, a distance of 326.89 feet to a point at the end of said curve to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE North 03° 22' 20" West with the east line of F.M. Road 740, a distance of 631.23 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE North 02° 21' 17" West with the east line of F.M. Road 740, a distance of 92.23 feet to an aluminum disk found for corner;

THENCE North 03° 59' 19" West with the east line of F.M. Road 740, a distance of 184.85 feet to the POINT OF BEGINNING and enclosing 158.228 acres (6,892,429 square feet) of land, more or less.

SURVEYOR CERTIFICATION

I, Michael R. Kersten, certify that this map or plat was completed and prepared under my direct supervision. The fieldwork was completed on October 30th, 2023.

Date of Plat or Map: May 13th, 2024.

PRELIMINARY
FOR REVIEW PURPOSES ONLY

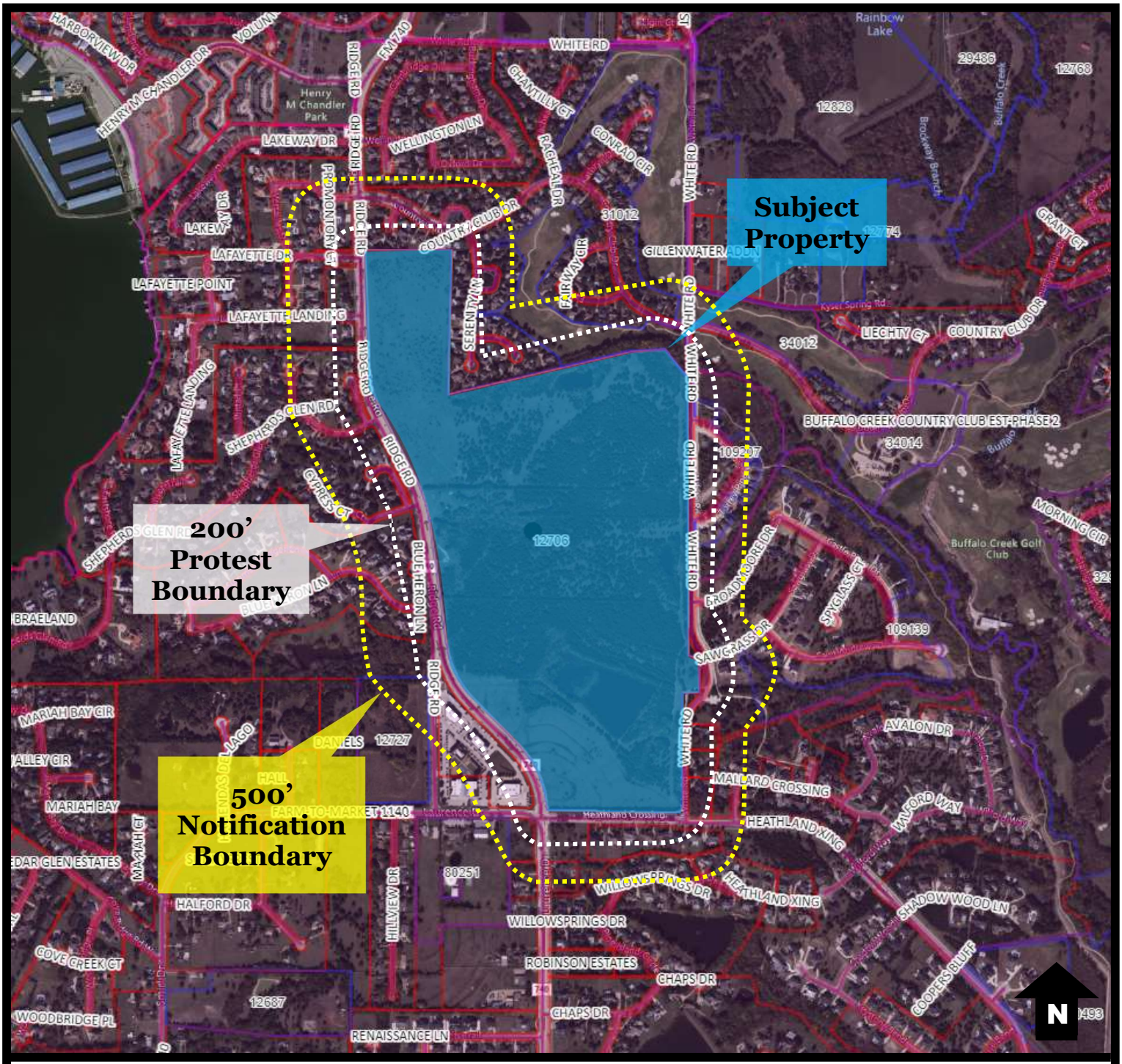
Michael R. Kersten
Registered Professional Land Surveyor
Texas Registration No. 6677

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

CHISHOLM TRAIL
LAND SURVEYING
TX FIRM #10194767
MICHAEL R. KERSTEN, RPLS 6677
INFO@CTLS-LLC.COM
940.367.7188

KFM
ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: N/A	DATE: 05/13/2024	SHEET: 9 OF 9



VICINITY MAP
(Not to scale)

Case No. ZA-2024-01: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to either (PD-SF) Planned Development for SF-22 Single Family Residential Uses or (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas.

(Rockwall CAD No. 12706)

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 18

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

At such time, the Planning and Zoning Commission and City Council will conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to either (PD-SF) Planned Development for SF-22 Single Family Residential Uses or (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road. **(Case No. ZA-2024-01)**

PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☒ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

We are in favor of the plans Toll Brothers has submitted with the ½ acre average per lot and/or 1 acre as long as it complies with the current regulations of Heath.

Signature: David G. Brooks & Cathey L. Brooks

Name (printed): DAVID G BROOKS & CATHEY L. BROOKS

Address: 2332 SERENITY LANE, HEATH, TX 75032

Phone/Email Address (optional): LADYMON BROOKS@ATT.NET

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DAVID G & CATHEY L BROOKS
2332 SERENITY LN
HEATH, TX 75032

HEATH CROSSING PHASE ONE, BLOCK A, LOT 2

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☑ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
~~CONCERNS~~ CONDITIONS:
- NO OUTLET ON HEATHLAND CROSSING IS DESIRED
STREET
- RETAIN TREES CURRENTLY ON FENCE LINE ALONG HEATHLAND CROSSING

Signature: Robert J Edwards
Name (printed): ROBERT J EDWARDS
Address: 504 HEATHLAND XING
Phone/Email Address (optional): 214-213-6762
RJEDW@SBCGLOBAL.NET

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032
Or scan and email to:
aadel@heathtx.com
Thank you!
City of Heath, Texas

ROBERT J & CAROL J EDWARDS
504 HEATHLAND CROSSING
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 30

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☑ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: Marie Fourte ; William Fourte

Name (printed): Toni Marie Fourte ; William Charles Fourte

Address: 217 Dwyer Ct ; Heath, TX ; 75032

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

WILLIAM FOURTE & TONI FOURTE
217 DWYER CT
HEATH, TX 75032

SHEPHERDS GLEN, BLOCK 3, LOT 1

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☑ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

GOOD FOR COMMUNITY

Signature: Roy F. Gaddis

Name (printed): ROY F. GADDIS

Address: 6 BRIGHT MEADOWS RD

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

ROY F GADDIS FAMILY TRUST
6 BRIGHT MEADOW RD
HEATH, TX 75032

A0207 E TEAL, TRACT 55, ACRES 158.613

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☑ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: Betty Perry
Name (printed): Betty Perry
Address: PO Box 151, Rockwall, TX 75087
Phone/Email Address (optional): bprockwall@att.net 214-704-5963

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

B C GOLF II LTD C/O HOOPER & RODGERS PC
947 W RALPH HALL PKWY STE 103

BUFFALO CREEK COUNTRY CLUB EST PH 2, BLOCK 4, LOT 10, ACRES 11.28, (PT OF 204.6220 AC TR)

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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PROPERTY DESCRIPTION: Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☑ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: Betty Kerry

Name (printed): Betty Kerry

Address: PO Box 157, Rockwall, TX 75087

Phone/Email Address (optional): bprockwall@att.net
214-704-5963

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

B C GOLF LTD C/O TOMMY J HOOPER PC

BUFFALO CREEK COUNTRY CLUB EST PH 2, BLOCK 5, LOT 1, ACRES 9.78, (PT OF 204.6220 AC TR)

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☑ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: Betty Perry

Name (printed): Betty Perry

Address: P.O. Box 151, Rockwall TX 75087

Phone/Email Address (optional): bprockwall@att.net
214-704-5963

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

B C GOLF LTD C/O TOMMY J HOOPER PC
947 W RALPH HALL PKWY STE 103

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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REQUEST FOR PUBLIC INPUT

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***Check one*:** ☒ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

I SUPPORT THE SF-22 CONCEPT PRESENTED TO THE PUBLIC AT BUFFALO CREEK EARLIER IN MAY.

Signature: Bryan G Ramey II

Name (printed): BRYAN G. RAMEY II

Address: 563 TORREY PINES CIR

Phone/Email Address (optional): G_RAMEY@YAHOO.COM

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

BRYAN & JOANNA RAMEY
563 TORREY PINES CIR
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK Z, LOT 66

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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PROPERTY DESCRIPTION: Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☒ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
THIS PLAN MEETS OUR REQUIREMENTS FOR DEVELOPMENT OF THIS PROPERTY.

Signature: Tony Bennett
Name (printed): TONY BENNETT
Address: 244 COUNTRY CLUB DR.
Phone/Email Address (optional): TRBTEXAS@SBCGLOBAL.NET

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032
Or scan and email to:
aadel@heathtx.com
Thank you!
City of Heath, Texas

2016 T D BENNETT REVOCABLE TRUST
244 COUNTRY CLUB DR
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 65

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

At such time, the Planning and Zoning Commission and City Council will conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to either (PD-SF) Planned Development for SF-22 Single Family Residential Uses or (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road. **(Case No. ZA-2024-01)**

PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☒ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
We would like to see this land zoned for SF-22 (½ Ac) which would leave green space for wild life and have less space that would need to be watered.

Signature: S Duane Latham, Jo Latham
Name (printed): S. DUANE LATHAM Jo Latham
Address: 2344 Fairway Circle
Phone/Email Address (optional): 972-210-1876

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

S DUANE & JOANN LATHAM
2344 FAIRWAY CIR
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 63

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

At such time, the Planning and Zoning Commission and City Council will conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to either (PD-SF) Planned Development for SF-22 Single Family Residential Uses or (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road. **(Case No. ZA-2024-01)**

PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☑ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

We Are In Favor Of the 1/2 acre lots

Signature: James L. McDonald, TTEE
Name (printed): James L McDonald
Address: 2336 Fairway Circle
Phone/Email Address (optional): 972-335-9141

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

JAMES L MCDONALD LIVING TRUST
2336 FAIRWAY CIR
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 63

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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***Check one*:** ☑ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: James L. McDonald, TTEE

Name (printed): James L McDonald

Address: 2336 Fairway Circle

Phone/Email Address (optional): 972-335-9141

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

JAMES L MCDONALD LIVING TRUST
2336 FAIRWAY CIR
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 3

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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Reasons: (Attach a separate sheet as needed.)

If there are not going to be custom homes then there should be fewer homes than requested. Minimum 1 acre lots with green areas and paths should be the required.

Signature: Jackie McDonald

Name (printed): Jackie McDonald

Address: 108 Charlotte Ct

Phone/Email Address (optional): jackielmcdonald@earthlink.net

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

LESLIE DAVID & JACQUELYN R MCDONALD
108 CHARLOTTE CT
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 8

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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***Check one*:** ☒ **I am in favor of the variance request.** ☐ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Good Addition To Heath

Signature: John Potts

Name (printed): John D. Potts

Address: 128 Country Club Dr Heath, TX

Phone/Email Address (optional):

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

JOHN D & JANICE POTTS
128 COUNTRY CLUB DR
HEATH, TX 75032

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 1

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Heath property owners continue to face on-going water shortages and restrictions resulting in fines and loss of landscape. Until the cities water allotment is substantially increased, do not adopt any new PD-SF or PD-43 areas in Heath. (See Sheet 3 - "Water Shortage Update" (Attached)

Signature: W. D. Allen Jenny Allen

Name (printed): Bill & Jenny Allen

Address: 105 Sawgrass Dr., Heath, TX 75032

Phone/Email Address (optional): (817) 291-0879
wdallen49@aol.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

WILLIAM D & JENNY ALLEN
105 SAWGRASS DR
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 6

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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***Check one*:** ☐ **I am in favor of the variance request.** ■ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

(1) Traffic is Beyond management Currently. This will Compound the issue. Safety Compromised!
(2) Water — is already limited. (3) Existing Property Value in Question!

Signature: Edward C. Black

Name (printed): EDWARD C. BLACK

Address: 120 Charlotte Ct. Heath, TX. 75032

Phone/Email Address (optional): 214.533.6850 @ eddie0221@aol.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032
Or scan and email to:
aadel@heathtx.com
Thank you!
City of Heath, Texas

EDWARD C BLACK
120 CHARLOTTE CT
HEATH, TX 75032

WILLOW SPRINGS #1, BLOCK A, LOT 3

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

See attached

Signature: H.D. Caldwell

Name (printed): H.D. Caldwell

Address: 501 Willow Springs DR.

Phone/Email Address (optional): 469-333-5314

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

H D & S L CALDWELL
501 WILLOW SPSRINGS DR
HEATH, TX 75032

The two plans advanced by the Toll Brothers for the "Perry Property" are not worthy of serious consideration based upon the community consensus that was voiced loudly with the comprehensive plan.

This community wants minimum one acre lots and nothing less than one acre lots. The residents that invested money and time in this community chose this community rather than the cookie cutter tract home traffic nightmares surrounding Dallas. If for the sake of some "green space" in this development you deviate from the 1 acre minimum every developer within a hundred miles will be here pitching half acre or smaller lots to further congest our town and destroy the quality of life here. Our town is struggling from pass-through traffic from surrounding OVER development, why add it into the city limits?

The one-acre lot plan from Toll brother strictly conforms to minimum lot size however it adds nothing to this town and should be resoundingly rejected. The plat of this plan is breathtakingly ugly and an homage to obvious greed. Driving into Heath from Rockwall and peering into the backyard swimming pool areas of two dozen houses is distasteful and tacky. We don't allow stockade or privacy fences because of the desire not to feel locked into your residences. Heath extolls the bucolic beauty of the region and the sense of open space and a cohesive community. We are not Dallas with 12-foot stockade fences abounding to hide from the profusion of cars and people.

Please reject the Toll Brothers' plans and send them back to the drawing board. If they are a premier builder as they tout; they have the skills to devise a beautiful development with mixed lot sizes from one to three acre lots that would be a jewel in our town. This is so disappointing and even worse than the original "Perry Property" proposal; unbelievably.

6-2-24

CITY OF HEATH, TEXAS
Notice of Public Hearing **Before the Planning & Zoning Commission**
Notice of Public Hearing **Before the City Council**

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REQUEST FOR PUBLIC INPUT

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

We should not build anything until we get another water supply for Heath. Traffic is getting bad.

Signature: Bethany Carlisle
Name (printed): Bethany Carlisle
Address: 216 McCrummen, Heath TX 75032
Phone/Email Address (optional): bethany@carlisle.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

SHEPHERDS GLEN, BLOCK 2, LOT 1

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

SEE ATTACHED NOTE

Signature: B. Doner
Name (printed): B. DONER
Address: 101 SHEPHERDS GLEN
Phone/Email Address (optional):

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

BONNIE DONER
101 SHEPHERDS GLEN RD
HEATH, TX 75032

This will cause construction disruption for 4 or 5 years.

It's nice to keep Heath more rural and see cows grazing

There is plenty of vacant land in Heath to build single family homes

This is a quiet neighborhood but with more residents there will be an Increase in traffic

Doner

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Doesn't align with the building standard that has kept Heath the city it is for so many years

Signature: Kayla Ecker
Name (printed): Kayla Ecker
Address: 125 Stafford dr Heath, Tx 75032
Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
Toll Bros. is not a custom Builder - Track Homes - Don't use local labor. Will destroy Heath custom Home appeal. They will take valuable Home Sites away from Local Builders & Tradesmen.

Signature: Cynthia Evans

Name (printed): Cynthia Evans

Address: 244 St Andrews Dr. Heath TX

Phone/Email Address (optional): Missy42852@gmail.com
443.336.0873

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

CITY OF HEATH, TEXAS
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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: Melinda Forscutt

Name (printed): Melinda Forscutt

Address: 162 Yorkshire Drive, Heath, TX 75032

Phone/Email Address (optional): melindaforscutt@hotmail.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DIXON ADDITION NO 3, BLOCK A, LOT 3, ACRES 1.0

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
Please see attachment

Signature: G. Don Gillentine
Name (printed): G. Don Gillentine
Address: 1704 White Rd
Phone/Email Address (optional): don737gill@gmail.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

GERALD DON & AMY MICHELLE GILLENTINE
1704 WHITE RD
HEATH, TX 75032

To Whom it May Concern,

Unfortunately, I am out of town and will be unable to attend the P&Z meeting on June 4th 2024 referencing Case No. ZA-2024-01.

There are 3 main reasons why I oppose the variance requested by the developer.

REASON 1

STORMWATER DRAINAGE

A portion of may property is located in a Zone A floodplain as determined by FEMA. The large body of water (pond) located on the Perry property has become the catchment location for the drainage around the newer construction near the CVS/Standard Service area. When the Perry property pond is full it drains down a creek that is on my property. I have seen a significant increase in the volume of water flowing through my creek and the associated erosion that this has caused.

This issue was never even considered by the Heath Crossing developers and the City when they built the latest addition of Heath Crossing and paved White Road in front of my home. This issue was a multi year battle with me having to contact the city to pressure the developers do the right thing. Based on past experience, I have little trust in the developer or the city doing the right thing this time.

More concrete will exacerbate this problem and substantially increase the erosion of my property.

REASON 2

TRAFFIC

The road in front of may home has become a highly used alternative to Ridge Rd. Backing out of my driveway is simply put, dangerous. At times it can take between 5 and 10 minutes just to have the opportunity to pull out of the driveway. The flow and speed of traffic is not monitored by the City

and it has become a raceway, especially between the hours of 7:30-9:30 in the morning and 3:00-6:00 in the evening.

Adding even more homes, cars, people once again exacerbates this problem.

REASON 3

WATER

We are constantly under water restrictions in Heath. This is a constant struggle that has yet to be addressed properly. We have too many people now for the current infrastructure. Is now the time, without the proper infrastructure to allow even more?

In closing,
I really hope that the P&Z committee can and will put aside external pressures by the numerous developers, builders, plumbers, etc who live in and around our community. I hope the the P&Z will put the People over profits and do right by the citizens of Heath.

Sincerely,
Don Gillentine
1704 White Rd.

/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECII

From: jerrygmn@yahoo.com
Sent: Tuesday, June 11, 2024 4:06 PM
To: Aaron Adel
Subject: Planning Hearing Survey from the Grahams
Attachments: scan0137.pdf

Hi

Here is our response questionnaire.

We are OPPOSED to reducing the lot size as requested.

Traffic on Ridge Road along with the water issues should make this a no brainer!

The developer that purchased this property surely had a sufficient ROI to justify its purchase at 1 acre lots.

Regards;

Jenny and Jerry Graham
120 Ridge Road

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

SHEPHERDS HIGHLANDS PHASE ONE, BLOCK A, LOT 6

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

1 ACRE LOTS SEEM O/K AND WOULD AGREE WITH THE HEATH ENVIRONMENT. 1/2 ACRE LOTS SUGGEST SPEC HOMES STAMPED OUT ALSO, WITH THE WATER ISSUES why leave any option to construct more than the planned 46 homes!

Signature: JR

Name (printed): JERRY GRAHAM

Address: 120 BLUE HERON LANE

Phone/Email Address (optional): 817-673-8343

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

JR & JL GRAHAM REVOCABLE TRUST
120 BLUE HERON LN
HEATH, TX 75032

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 18

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

The idea of building track homes next to ~~another~~ an area of nice custom homes will only reduce their value.

Signature: Mark Gulis

Name (printed): Mark Gulis

Address:

Phone/Email Address (optional): markgulis@gmail.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

BROADMOOR 330, LLC
4626 N LINDHURST AVE
DALLAS, TX 75229

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 15

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
Building track homes next to a neighborhood of custom homes will only reduce their value.

Signature: Mark Gulis
Name (printed): Mark Gulis
Address:
Phone/Email Address (optional): markgulis@gmail.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032
Or scan and email to:
aadel@heathtx.com
Thank you!
City of Heath, Texas

BROADMOOR 330, LLC
4626 N LINDHURST AVE
DALLAS, TX 75229

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 17

CITY OF HEATH, TEXAS
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Notice of Public Hearing Before the City Council

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REQUEST FOR PUBLIC INPUT

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Building track homes next to a ~~[illegible]~~ neighborhood of custom homes will only reduce their value.

Signature: Mark Gulis

Name (printed): Mark Gulis

Address:

Phone/Email Address (optional): markgulis@gmail.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

BROADMOOR 330, LLC
4626 N LINDHURST AVE
DALLAS, TX 75229

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 4

CITY OF HEATH, TEXAS
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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
Building track homes near an existing neighborhood of custom homes will only reduce their value

Signature: Mark Gulis
Name (printed): Mark Gulis
Address:
Phone/Email Address (optional): markgulis@gmail.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

SAWGRASS 117, LLC
4626 N LINDHURST AVE
DALLAS, TX 75229

HEATH CROSSING PHASE ONE, LOT 1, ACRES 3.41, (COMMON AREA)

CITY OF HEATH, TEXAS
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Notice of Public Hearing Before the City Council

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

The Owners at Fairways of Heath Crossing are opposed to this, not changing the Zoning to residential, but the uncertainty of half acre lots, as opposed to acre lots. It seems that half acre lots are not in keeping with the community, whereas Acre lots would be. We would support the proposal with Acre lots.

Signature: Dale L Smith

Name (printed): Dale L. Smith

Address: Property I.D. 109141

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING HOMEOWNERS ASSOCIATION INC
8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

HEATH CROSSING PHASE ONE, LOT 1, ACRES 3.41, (COMMON AREA)

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Reasons: (Attach a separate sheet as needed.)

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Signature: Dale L Smith
Name (printed): Dale L. Smith
Address: Property ID: 109166
Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING HOMEOWNERS ASSOCIATION INC
8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

HEATH CROSSING PHASE ONE, LOT 1, ACRES 3.41, (COMMON AREA)

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Reasons: (Attach a separate sheet as needed.)

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Signature: Dale Leth

Name (printed): Dale L. Smith

Address: Property ID: 109165

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING HOMEOWNERS ASSOCIATION INC
8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

HEATH CROSSING PHASE ONE, LOT 1, ACRES 3.41, (COMMON AREA)

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Signature: Dale Smith

Name (printed): Dale L. Smith

Address: Property ID: 109207

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING HOMEOWNERS ASSOCIATION INC
8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

HEATH CROSSING PHASE ONE, LOT 1, ACRES 3.41, (COMMON AREA)

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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PROPERTY DESCRIPTION: Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

The Owners at Heath Crossing are opposed to this, not changing the Zoning to residential, but the uncertainty of half acre lots, as opposed to acre lots. It seems that half acre lots are not in keeping with the community, whereas Acre lots would be. We would support the proposal with Acre lots.

Signature: Dale Smith
Name (printed): Dale L. Smith
Address: Property ID: 109143
Phone/Email Address (optional): _____

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING HOMEOWNERS ASSOCIATION INC
8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

HEATH CROSSING PHASE ONE, LOT 1, ACRES 3.41, (COMMON AREA)

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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Reasons: (Attach a separate sheet as needed.)

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Signature: Dale Lsmith
Name (printed): Dale Lsmith
Address: Property ID: 64795
Phone/Email Address (optional): _____

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING HOMEOWNERS ASSOCIATION INC
8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

HEATH CROSSING PHASE ONE, LOT 1, ACRES 3.41, (COMMON AREA)

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Signature: Dale Smith
Name (printed): Dale L. Smith
Address: Property I.D.: 109142
Phone/Email Address (optional):

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

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8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

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Signature: Dale Smith
Name (printed): Dale L Smith
Address: Property ID: 64797
Phone/Email Address (optional):

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING HOMEOWNERS ASSOCIATION INC
8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

HEATH CROSSING PHASE ONE, LOT 1, ACRES 3.41, (COMMON AREA)

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Reasons: (Attach a separate sheet as needed.)

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Signature: Dale Smith

Name (printed): Dale L. Smith

Address: Prop ID: 72527

Phone/Email Address (optional):

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING HOMEOWNERS ASSOCIATION INC
8668 JOHN HICKMAN PKWY STE 801
FRISCO, TX 75034

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

I am opposed to this, not changing the Zoning to residential, but the uncertainty of half acre lots, as opposed to acre lots. It seems that half acre lots are not in keeping with the community, whereas Acre lots would be. We would support the proposal with Acre lots.

Signature: Rachel Davis

Name (printed): Rachel Davis

Address: 534 Torrey Pines Circle, Heath

Phone/Email Address (optional):

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

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FRISCO, TX 75034

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

We do not have the water supply nor infrastructure to continue to add more homes.

Signature: [signature]

Name (printed): Lacey Harrelson

Address: 315 Chatham Pl 75032

Phone/Email Address (optional): 469-569-1113

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

The city should not deviate from 1 acre per lot density. Half acre lots should be denied and the

Signature: Justin Holland

Name (printed): JUSTIN HOLLAND

Address: 176 STONELEIGH DRIVE, HEATH, TEXAS 75032

Phone/Email Address (optional): JA.HOLLAND@ICLOUD.COM

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

CITY OF HEATH, TEXAS
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Check one: ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
Current infrastructure cannot support more homes. We have a major lack of water, large enough schools and roads are already packed with traffic

Signature: Natasha Hart
Name (printed): Natasha Hart & Charles Hart
Address: 151 Brentwood Dr. Heath 75032
Phone/Email Address (optional): natzme@gmail.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032
Or scan and email to: aadel@heathtx.com
Thank you!
City of Heath, Texas

THE PROMONTORY, BLOCK A, LOT 4

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

1. Traffic. Ridge Road already has too much traffic. Just one more danger.
2. Noise –
3. Lot size, water limitations, Safety

Signature: Richard R Miranda / Maria T Jimenez

Name (printed): Richard R. Miranda / Maria T Jimenez

Address: 2404 Promontory Ct. Heath, TX 75032

Phone/Email Address (optional): 817-437-0534

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

RICHARD R MIRANDA & MARIA T JIMENEZ
2404 PROMONTORY CT
HEATH, TX 75032

HEATH CROSSING PHASE 4A & 4B, BLOCK A, LOT 1

CITY OF HEATH, TEXAS
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Notice of Public Hearing Before the City Council

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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: _____

Name (printed): Linda Johnson

Address: 106 Sawgrass Dr.

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

2024 W L JOHNSON REVOCABLE TRUST
106 SAWGRASS DR
HEATH, TX 75032

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 21

CITY OF HEATH, TEXAS
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Reasons: (Attach a separate sheet as needed.)

Signature: _____

Name (printed): Linda Johnson

Address: 106 Sawgrass Dr Heath TX 75032

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

LTL FAMILY HOLDINGS LLC
106 SAWGRASS DR
HEATH, TX 75032

HEATH CROSSING PHASE 5A, BLOCK D, LOT 10

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Heath is already too crowded as is. School's are already overflowed. Too many people too fast leading to overcrowding of a great town. Traffic is already terrible.

Signature: _____

Name (printed): Brandon Lu

Address: 550 Torrey Pines Circle

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

BRANDON LU & CLAIRE LARSEN
550 TORREY PINES CIR
HEATH, TX 75032

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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
Without water resources for current residents, it makes no sense whatsoever to facilitate further development until the water situation is SOLVED and the solution IN PLACE. Leave it as Ag property until then.

Signature: WLeonard

Name (printed): WILLIAM J LEONARD

Address: 2 SHEFFIELD CT, HEATH, TX 75032

Phone/Email Address (optional): joe.ellen.leonard@gmail.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 19

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

* Please see attached sheet

Kent Lockyer

Signature: Naomi Lockyer

Name (printed): Naomi Lockyer & Kent Lockyer

Address: 314 Broadmoor Dr.

Phone/Email Address (optional): naomilockyer@mac.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DDUGLAS KENT & NAOMI FABER LOCKYER
314 BROADMOOR DR
HEATH, TX 75032

Naomi & Kent Lockyer
314 Broadmoor Dr.
Heath

5/31/24

Hi,

We are extremely opposed to this variance request for the following reasons:

1. There is a water shortage & there are ~~severe~~ water ~~severe~~ restrictions in the summer. More housing will only make this worse than it already is.

2. There are already dozens of new housing construction projects under way, adding more strain on Heath's traffic, congestion, lack of water resources

3. Part of the appeal of Heath is having some natural country side and not housing developments on every street.

4. More construction noise, pollution, garbage, nails in the streets (had 2 flat tires from nails in less than 6 months)

* Please do NOT approve. Thank you!

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 1, LOT PT OF 60-A

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Infrastructure - inadequate water source - current water restrictions even when non-drought. Roads - congestion, traffic noise, crowding of space, schools

Signature: William D. Lord Leslie Lord

Name (printed): William D. Lord, Leslie Lord

Address: 241 Country Club Dr., Heath

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

WILLIAM D & LESLIE LORD
241 COUNTRY CLUB DR
HEATH, TX 75032

WILLOW SPRINGS #1, BLOCK B, LOT 13

CITY OF HEATH, TEXAS
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REQUEST FOR PUBLIC INPUT

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

***Reasons:** (Attach a separate sheet as needed.)*

We are already overcrowded for our road infastructure in Heath. We do not need to turn into a traffic situation like the inadequate infastructure for the overbuilt development of Travis Ranch - an absolute disaster!!!

Signature: Stephen M. McClung Cynthia J. McClung

Name (printed): Stephen M. McClung Cynthia J McClung

Address: 512 Willow Springs Dr. Heath, TX 75032

Phone/Email Address (optional): cindy@coolcruisers.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

STEPHEN M & CYNTHIA J MCCLUNG
512 WILLOW SPRINGS DR
HEATH, TX 75032

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 1

TY OF HEATH, TEXAS
tice of Public Hearing Before the Planning & Zoning Commission
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REQUEST FOR PUBLIC INPUT

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Check one: ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance reque**

Reasons: (Attach a separate sheet as needed.) - Water Issues, LOT SIZE + HOME SIZE ISSUES
- How does this zoning change benefit current Heath residents? Who is driving this deal?

Signature: N. A Merchant

Name (printed): Nathan Merchant

Address: 236 Summer Tanager Ln

Phone/Email Address (optional): 972-977-2462
NMerchant@403INLNS.com

adel@heathtx.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

CITY OF HEATH, TEXAS
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Check one: ☐ I am in favor of the variance request. ☒ I am opposed to the variance request.

Reasons: (Attach a separate sheet as needed.)
Heath is a community of custom homes that is supported by local builders and workers.

Signature: Angela Mercer
Name (printed): Angela Mercer
Address: 4 Cove Creek Court Heath TX
Phone/Email Address (optional): _____

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032
Or scan and email to: aadel@heathtx.com

Thank you!
City of Heath, Texas

Jason Morey
4 Cove Creek Ct
Heath, TX 75032
972-768-2372

June 10, 2024

Dear Heath City Council,

Thank you for the opportunity to voice my opinion as a resident of Heath and thank you for your service to the community. Our family has lived in Heath for the past 20 years, we moved here because of the small-town feel, one acre lots and majority of homes in the Heath are custom homes that have retained and increased in value. We did not want to live in a high density area with condos, zero zoned lots and track homes. It appears that this zoning designation if approved would do just exactly that, track homes and half acre lots or less.

I am opposed to the variance request

1) Heath has a water problem, we haven't secured our rights and now we want to add more stress and strain on our water system which already has restrictions. We need to limit or minimize growth to our city given our current water contract of buying water from Rockwall vs having our own water rights secured.
2) These homes are a track build, not custom and not representative of the majority of homes in Heath.
3) Anything less than an acre per home shouldn't be allowed, Heath has tried to maintain an average one acre lots, but time and profit seems to have changed the equation.

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 21

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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
At present there is a lack of Infrastructure to support any type of planned development. 1. Road widening 2. Water run-off 3. Sewer systems.

Signature: Daniel Moorhem - Vivian Caro Moore

Name (printed): Daniel Merchaca - Vivian C. Merchaca

Address: 2344 Serenity Ln · Heath, TX 75032

Phone/Email Address (optional): _____

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

VIVIAN CARO MOORE
2344 SERENITY LN
HEATH, TX 75032

DIXON ADDITION NO 2, BLOCK A, LOT 2

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

(1) Water Runoff concerns given the existing issues near (and between) 1702/1704 White Rd.

(2) increased traffic flow and risk to accidents on the stretch / straight-away between 1704 White Rd and 1700 White Rd.

(3) Zoning change is not timely given current city infrastructure concerns for water supply and through traffic on Ridge

Signature: Daniel L Moran

Name (printed): Daniel L. Moran

Address: 1702 White Rd.

Phone/Email Address (optional): dlmoran@mac.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

(4) Zoning change is not timely given the road construction on I-30 bridge that is soon to enter Rockwall and impact the overpass at I-30 and Horizon → resulting in traffic issues. Construction of homes on the subject property at this time will increase traffic on roads that will already be subjected to problems in the coming years due to I-30 road construction / expansion.
→ I would delay any approval until I-4 are addressed.

DANIEL L & ANGELA D MORAN
1702 WHITE RD
HEATH, TX 75032

BUFFALO CREEK COUNTRY CLUB EST PH 1, BLOCK 2, LOT 61

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Already too much development without adequate supporting infrastructure. Water supply is extremely limited and road/highway auto density has become ridiculous.

Signature: _____

Name (printed): David Phelps

Address: 2328 Fairway Cr. Heath, TX 75032

Phone/Email Address (optional): drdphelps@sbcglobal.net

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DAVID GARFIELD PHELPS
2328 FAIRWAY CIR
HEATH, TX 75032

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Check one: ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Traffic ; Water

Signature: _____

Name (printed): David Prda

Address: 1011 Woodbridge Place

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

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PROPERTY DESCRIPTION: Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
We are concerned that this development will have a detrimental effect on the value of our homes. We believe it would create severe traffic congestion. The current infrastructure could not handle the volume of traffic. We moved to Heath to get away from such situations

Signature: D.R. / Marcia Rainey
Name (printed): Dr. Dan & Marcia Rainey
Address: 113 Sawgrass Dr., Heath, TX 75032
Phone/Email Address (optional): 972/977-5528

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadela heathtx.com

Thank you!
City of Heath, Texas

DANNY & MARCIA RAINEY
113 SAWGRASS DR
HEATH, TX 75032

HEATH CROSSING PHASE 4A & 4B, BLOCK A, LOT 26

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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Check one: ☐ I am in favor of the variance request. ☑ I am opposed to the variance request.

Reasons: (Attach a separate sheet as needed.)

Email sent

Signature: [signature]
Name (printed): Lisa Reeves
Address: 345 Broadmeadow Dr
Phone/Email Address (optional): 2149515979

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

BJR REAL ESTATE INVESTMENTS LLC
1400 WINDPOINTE DR
ROCKWALL, TX 75032

---------- Forwarded message ---------
From: **Lisa Reeves** <lisareeves0518@gmail.com>
Date: Tue, Jun 4, 2024 at 11:28 PM
Subject: Opposed - Concerns Regarding Toll Brothers Construction Project in Heath, Texas
To: <aadel@heathtx.com>
CC: Brian Reeves <breeves.custom@gmail.com>

Dear City of Heath Officials,

My name is Lisa Reeves, and I am a resident of Heath, Texas, living at 345 Broadmoor Drive and we also own 329 Broadmoor Drive. I am writing to express my concerns regarding the Toll Brothers construction project of 150 acres right outside of Heathland and White in Heath, Texas.

My family and I moved to this neighborhood in February of this year and have been overjoyed to be in a custom home that my husband, a custom home builder, constructed himself. We are surrounded by homes built by custom builders, each unique and meticulously crafted. This neighborhood, filled with high-quality, distinct homes, is the reason we chose Heath as our forever home. My son attends Amy Parks Elementary, and we are active members of the community, participating in activities such as golf at PGA Junior Buffalo Creek and Taekwondo.

I kindly request that the Planning and Zoning Committee explore alternative options to potentially provide the Perry family the opportunity to rezone this land for custom home builders. Heath recently lost one of its own, Scott Lewis, whose legacy in Stoneleigh phase One and Two has been a significant contribution to Heath. The Ridge Lakes subdivision, particularly Fairways, is expected to follow suit.

I implore you not to change what makes Heath special and unique. The introduction of 115 to 140 spec construction homes nearby will have significant implications on our infrastructure, property values, schools, and community character. I urge you to consider the impact on our neighborhood, the strain on resources, changes to our streetscapes, and the type of community members it may attract. Heath is unique and should be preserved as such, akin to University Park and Highland Park.

Please take into consideration the concerns of residents like me who are invested in maintaining the integrity and quality of life in Heath. I respectfully ask that you explore alternatives that align with the values and vision of our community.

Aaron Adel

From: Lisa Reeves <lisareeves0518@gmail.com>
Sent: Friday, June 7, 2024 8:16 AM
To: Aaron Adel; jturnell@heathtx.com; mrask@heathtx.com; tbishop@heathtx.com
Subject: Opposed - Concerns Regarding Toll Brothers Construction Project in Heath, Texas

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Please take into consideration the concerns of residents like me who are invested in maintaining the integrity and quality of life in Heath. I respectfully ask that you explore alternatives that align with the values and vision of our community.

Thank you for your attention to this matter.

Sincerely,

Lisa Reeves

345 Broadmoor Drive

Heath, Texas

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

We dont want these types of homes in our Heath "custom home" community. This is in the heart of Heath + want to keep it as zoned. 1-3acre lots. I'm a interior designer in Heath for 30years. We would be taking away land, jobs + opportunities for our custom home builders + designers + contractors who live here in Heath.

Signature: Kristi Severn

Name (printed): Kristi Severn

Address: 136 Brentwood Dr.

Phone/Email Address (optional): 214 679-8660

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

See attached.

Signature: _____

Name (printed): Jason Severn

Address: 136 Brentwood Dr, Heath TX

Phone/Email Address (optional): 214. 679. 2812
jseverN65@gmail.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032
Or scan and email to:
aadel@heathtx.com
Thank you!
City of Heath, Texas

MICHAEL JASON SEVERN
136 Brentwood, Heath, TX 75032
214-679-2812

June 9, 2024

Dear Heath City Council,

First and foremost, thank you for your service to our community. City politics, especially in a small community, it not easy and I appreciate each one of you for your efforts and support.

Second, please do not support the acquisition of the Heath, TX acreage by the Toll Brothers company. Their product, customer support and financial management simply does not meet the expectations by the citizens of Heath, TX.

My background: Moved to Rockwall, TX with my family in 1974, (mother taught 6th grade math for thirty two years), graduated Rockwall High School in 1983. My wife and built our first of three Heath, TX custom homes in 1996 and now reside in Stoneleigh neighborhood. Our two daughters both graduated from Rockwall Heath High School.

I vote not to allow Toll Brothers to acquire the acreage in review nor build homes in Heath, TX. This is why:

1. We have a public water problem in Heath, TX and it does not make sense to quickly add 100+ new homes. I say "quickly" because they are a manufactured home developer (track homes).
2. They are not from Heath, TX or Rockwall county. Heath, TX housing was developed and built by local citizens for decades. This will potentially take important jobs away from many Heath citizens and money from community banks. The economic opportunity for this property should remain within Heath tax paying citizens and businesses.
3. Toll Brothers is not a quality brand and does not match the quality of Heath as it exists today. This will become a negative addition to Heath, TX and not a positive like Heath Crossing, Heath Fairways, Providence Way & Ridge Lakes which are the most recent residential developments.

Thank you so much for reviewing this and considering my vote.

- There online reviews validate this concern:

https://www.bbb.org/us/pa/ft-washington/profile/real-estate-development/toll-brothers-incorporated-0241-80000274/complaints

https://www.consumeraffairs.com/housing/toll-brothers.html?page=2#scroll_to_reviews=true

Reviewed June 7, 2024

Yep, as bad as every other review. Almost 2 years and still trying to get basic service for hack job "contractor" work. Do yourself a favor and find a reputable builder that takes any level of price in their work because Toll Brothers truly could care less about you.

Reviewed May 18, 2024

My daughter purchased a new Toll Bros. home and within a few months found water under her subfloor. Eight of her neighbors have the same problem. Toll Bros. said they would "fix it" but two failed sump pumps later they still have water under their houses, sometimes 5-6". They are on a hill and the water should be draining down but something is wrong with the grading. The neighbors hired an engineer who said it could cost $50,000 to put French drains in and solve the problem. They got a lawyer and tried to fight Toll Bros. to get this fixed.
The company have snouty lawyers and billions of dollars to fight such lawsuits and implied "even if you win we will keep appealing". The victims in this case do not have hundreds of thousands of dollars to pay lawyer fees to fight these jerks and would end up bankrupt in doing so. Do not buy a home from Toll Brothers! They are a horrible company that only care about money and never the people who buy from them.

Reviewed May 7, 2024

Toll Brothers in Sayebrook (Myrtle Bch, SC) are the absolute worst company I have dealt with. This is our sixth home in 27 years. All were new construction homes. Toll Brothers is the worst and they should be ashamed to call themselves a "luxury builder". They don't honor their warranty and hold their contractors accountable. The homeowner is left with poor craftsmanship, empty promises, no accountability and the SC Myrtle Beach team absolutely have no integrity. It's a shame their CEO is not approachable, no way a leader with integrity would allow the SC team to embarrass the Toll Brothers brand.

Reviewed April 30, 2024

BUYER BEWARE - Toll Brothers does not offer a loan contingency for their new construction homes, which means if you don't qualify for a mortgage when the home is ready, you stand to lose your ENTIRE DEPOSIT. This can be a significant amount—over $150,000 in some cases. Given the unpredictability of future interest rates and the potential for personal financial situations to change, this policy puts buyers at substantial financial risk. Toll Brothers seems indifferent to these concerns, showing a lack of care for the financial security of their customers. If you're considering buying a new home from them, be very cautious of this policy as it could lead to a major financial loss.

Reviewed April 24, 2024

So we purchased a Toll Brothers home in 2020 in Cumming GA. I would recommend staying away from them. Mind you, the looks are great. But the shortcuts these builders take to finish the house will cost you money. They did not prime the walls in bathroom. All drywall tape peeled. We removed the drywall tape and in some areas they packed with plastic and paper to fill the voids in between the drywall corners. Doorways are crooked. They even put up a door frame on an angled wall and did not mount the frame properly. High window frames, where you need a ladder, are caulked poorly and terrible finish. My yard is littered with construction debris. I recently put in new sod and found more roof shingles, bottles, large rocks > 5 lbs. I wish I never bought a tollbrothers. They look good but are built poorly.

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Reviewed April 17, 2024

Visited a TB community in Houston and decided to apply for a loan with their in house TB company. Was initially approved for more than we needed, put earnest money down and picked out all selections at the design center and paid our design center deposit. 3 Months later, our TB loan officer told me that my score needed to be a certain number (which it was) and I needed to show a certain percentage from VA disability (Which I did). All of a sudden, I'm denied and now the loan officer won't respond to my emails. Do yourself a favor and steer clear of Toll Brothers mortgage company unless you want to be lied to repeatedly over and over again.

Reviewed April 6, 2024

All I have to say is these people are the rudest in the industry. I have built with many in Atlanta, Pulte, John Weiland and David Weekly. I walked in a house to look at fixtures etc. the project manager yelled, literally yelled at me to get out of the house, no one else should be in a house during the day. I felt threatened, like, should I call the cops. Bizarre behavior when we are their customers. Guess they don't want to sell homes. When I walked in the other properties, they were glad I was there and wanted to show us around and show off their homes, not berate us, the customers!!

Reviewed April 1, 2024

Cheap materials, horrible craftsmanship, short cuts to save money everywhere, that's what you get from Toll Brothers. I haven't found one of my neighbors who feels any different than I do. Don't buy from this company.

Reviewed March 26, 2024

I recently had the unfortunate experience of dealing with Toll Brothers' customer service, and it was nothing short of a nightmare. I was made unaware of the next-door window and my window is on the same side and has no privacy. I bring this to the Toll brothers and Keith ** (customer care director) said select plan whichever they want. Disregard the customer safety. I have never seen like this customer service in my entire life. The house made are from very cheap materials. Please stay away from Toll Brothers in Denton, Texas.

Reviewed March 5, 2024

Our home was completed by Toll Brothers in 2000. The construction process took about 7 months longer than they told us. During the two-year construction process there were numerous times where construction completely stopped for weeks at a time. No useful explanation. I was on the construction manager like white on rice, so I think I turned out better than many of my neighbors regarding quality.
One major thing I ran into after 12 years was extensive dry rot. So many of the wood joints had absolutely no primer paint. That made for a very expensive repaint job. The lack of primer was only detectable after the house needed painting. Some of the upstairs bedrooms have walls and ceilings that are out of plumb. In the kitchen they use appliance models with non-standard sizes. When appliances (such as ovens and microwave) need to be replaced none of the cabinet sizes work with replacement appliances. Note that I purchased the highest grade of appliances and options. Regardless of what the sales people say, the result is pretty average. If I did it over again and I had to use toll brothers, I would have been much tougher on their sales people and project manager. At the end of the day I do not think they really cared that much about the customer.

Reviewed Feb. 21, 2024

We've been in our new home at Fairhaven in Nampa Idaho for over 3 years now and I'm still repairing things that were done incorrectly. It's my 3rd new construction home in my life and none have been good. They wouldn't warranty stuff and when they did the people they sent made things worse or didn't even fix what was wrong. Every appliance they installed broke and they would come out and do a repair only to have it fail again. My advice, never have a home built. Buy a resale home after having it inspected by an experienced reputable inspector. There's not enough room here to write everything that's screwed up here. Huge regrets!

Reviewed Jan. 28, 2024

Before you choose a Toll Brothers home, connect with a homebuyer who can share some things to know before you do. Company has become too big and the customer service is not personable. The goal appears to be quantity over quality.

Reviewed Jan. 27, 2024

Toll Brothers is absolutely horrible!!! Stay away! The warranty is a joke. They go around fixing things under the warranty and don't know how to fix things under the warranty. We purchased a house from Toll 3 years ago and found out that there are multiple code violations regarding our interior stairs. The city inspector cited code violations and Toll is trying to back out saying the house passed a final inspection. The walls are not straight, the drywall isn't taped properly, there a visible seams on the ceiling and walls, ceiling and wall cracks. All of our ceramic tiles in the laundry room cracked 6 months

after closing. It's obvious that there is something wrong with the subfloor but they won't fix it saying it's not a warrantable item. Two of our rooms have water stains by the ceiling but Toll does not know how to fix it and which of their subs is responsible. The insulation sub says it's the roofer, the roofer says it's not them. Toll warranty manager says it's humidity in our house even though we have a humidity gauge and everything is perfect. They have no clue how to fix things under the warranty and ultimately you don't get anything fixed. The construction managers that Toll hires are absolutely terrible and don't know how to do their jobs. During construction, we noticed windows not level and higher by 2" from other windows on the same wall in the same room.

They were also installing one large window in the dining room in the corner of the room instead of the center. They framed our hallway wrong. They had to re-frame the windows after we pointed it out to the construction manager. He admitted he didn't notice. We previously had a home built by a different home builder 15 years ago and no issues whatsoever. We didn't have one crack on the ceiling or walls and we were surprised. Stay away from Toll Brothers- speaking from experience.

Reviewed Jan. 25, 2024

Poor building materials, Poor building quality and horrible workmanship. We all have our Chimneys leaking and my neighbors get basement flooded even in Light rains. We are so regretting buying a house here and then the HOA keeps increasing every Year. The State Government should take action and stop the HOA or get us money refunded for repairs.

Reviewed Jan. 17, 2024

Really not 5 stars, I just wanted this review to reach the top of the list to warn prospective home buyers of Toll Brothers' conniving process, Bait & Switch business processes. After signing a contract in December 2021, we finally closed on our house in August 25, 2023. This review is to give fair warning for all people that is considering purchasing a home from Toll Brothers construction Co. More
After waiting 10 months after signing the contract with Toll Brothers they finally broke ground to started building our home. This delay cost us over $20,000.00 in additional rental fees which Toll Brothers refused to refund us. When we asked the Sales person how long it would take to complete our home, she said eight (8) to ten (10) months, what a line of crap. Now Nineteen months later they are scheduling our closing without all the 57 items identified on our punch list not resolved.

Every attempt to contact the Tampa Sarasota division office (Brian O'Hara (VP), Jamie ** (VP Operations & Quality) fell on deaf ears and when we contacted the corporate office in Fort Washington, Pennsylvania, (Douglas Yearley Jr.-CEO, Gregory **), they just referred us back to the Tampa Sarasota division office, so don't expect to actually get an answer for any questions you may have.

Toll Brothers have one focus, Profits over customer satisfaction. They hire the cheapest subcontractors which results in amateur like quality so don't expect to get a "Luxury Home" as they state on their logo "America's Luxury Home Builder". After speaking with many of our neighbors we feel we got off easy, some other customers had issues like subcontractors pouring cement in the sewer drains and cutting water lines to flood the home and other forms of sabotage when the subcontractors did not get paid from Toll Brothers. So just take this as fair warning, their contract states they can take up to TWO YEARS to complete your home, good luck with your home search.

Reviewed Jan. 12, 2024

Thank you Toll Brothers Mortgage for ensuring we never buy a Toll Brothers home. Toll Brothers Mortgage refused to "recommend" us (e.g. permit a sales contract) under the following circumstances: More
1. $500,000 down with a $250,000 mortgage
2. $40,000 earnest money
3. >$150,000 income, W-2 and 1099 (TBM would only recognize $20,000 in 1099 income)
4. Pre-approved by our lender.

At first we were furious: How does anyone "qualify" to purchase a TB home? How is TBM dictating whether a sales contract can or cannot be written? How is this a successful business model? We decided to purchase our backup home and experienced the professional purchase process expected. Although baffled by the TB process, it was a blessing in disguise as we purchased a similar home at a lower price with greater incentives. Thank you Toll Brothers!

Reviewed Jan. 3, 2024

My wife and I are writing to formally express our deep concerns and dissatisfaction regarding significant issues encountered during the home-buying process with Toll Brothers. The contract for a property located in Elkhorn Grove has been plagued with multiple inconsistencies, which have caused confusion and jeopardized the integrity of the agreement. Upon our initial review of the document, my wife and I noticed discrepancies in the incentives stated in the contract. The contract listed a reduction of $75 off, whereas the agreed-upon incentive was $75,000 or $75K. The sales agent stated she "forgot the 'K'" but advised she would "edit prior to signing if it made us feel better". More
Furthermore, the verbiage concerning the homesite premium deposit for VA homebuyers remains inaccurate. The sales agent stated she "wrote it into the contract herself" and would try to revise it so it would read clearer. At the time of us signing, the verbiage used still indicated a lesser deposit was required than what was requested.

In addition to these contractual discrepancies, our experience with the home options presented has been distressing. During the structural meeting with the sales agent, they specified lower cabinets were included, only to discover that the actual offering

was different from what was conveyed. Despite our verification with our realtor, the sales agent has refused to acknowledge their misinformation. Moreover, the area and sales managers have shown an unwillingness to resolve these issues, resorting to intimidation tactics and leveraging incentives against us. Their dismissive attitude and attribution of our concerns to an overload of information rather than acknowledging the misinformation provided is disheartening.

What's more, the lack of clarity and information shared between the sales team and the design studio has compounded our concerns. The viewing of different floor plans for our home and the unavailability of pricing for essential features like cabinetry, insulated walls, and electrical options during design and structural meetings have left us uncertain and dissatisfied with the process. While we initially held high hopes for our new home, the multitude of inconsistencies, unresolved issues, reviews of other customer complaints in the area, and the unprofessional conduct displayed by the management have deeply unsettled us. As a military family, attention to detail is paramount to us, and the experience thus far has fallen far short of our expectations. We anticipated a professional and seamless process but have instead encountered behaviors that do not reflect the upscale, luxury image associated with Toll Brothers.

We implore the corporate office to thoroughly investigate these matters and take decisive action to address these issues promptly. As responsible buyers, we have shown flexibility and understanding throughout this process. Still, we cannot continue to overlook these substantial discrepancies and unprofessional conduct demonstrated by sales agents Saeedeh **, Lauren **, and area manager Julia **. Please contact us at ** at your earliest convenience to discuss this matter further and provide a resolution to these pressing concerns. Thank you for your prompt attention to this matter.

Reviewed Dec. 30, 2023

Being previous Toll Brothers buyer, and trying to purchase another toll brothers home. The sale experience we had was bad, the sales guy couldn't calculate correctly, sales guy wouldn't even try to talk to upper management and ask for additional incentives. We had everything presented and facts set, but this sales guy would not want to do anything. Our first time buying toll's sales was much better compared to today.

Reviewed Dec. 25, 2023

We purchased our home in July of 2023. We have relocated 7 times for work and have purchased new/built homes 5 times. This has been the worse experience to date. We have had more problems - electrical, patio, concrete, finished carpentry, plumbing, windows, doors, appliances - than any other home we have had. We are just 6 months in. Repairs are being made, but if this is just 6 months, can't imagine what is in store for the years to come. Will never purchase another Toll Brothers home.

Reviewed Dec. 19, 2023

We moved into our new home build in October of 2023. Working with the sales and construction teams throughout the build was a nightmare. We experienced a plethora of supply chain issues and the builder failed to offer suitable substitutions and would not take accountability whatsoever. Even after being in the home after three months we continue to uncover poor installation of carpets and cabinetry. Once you move into a Toll Home you will never want to deal with them again.

Reviewed Dec. 18, 2023

Worst builder ever! They lie to just sell homes. We moved in August 2023. We were never told that there is no sewer system. They are using big tanks to filter the community's poop. Everyone's hot water heater never works because there is a short in the system. The kitchens and bathrooms are terrible made very cheap. Stay away from Toll Brothers.

Reviewed Dec. 17, 2023

After quoting a discount on a unit, they then tell us, after three visits after wasting our time that they make a mistake on their already high-priced town home. Also, the model home was put together so fast that there are visible defects in person all over the place and also visible in their video! We will look elsewhere.

Reviewed Nov. 29, 2023

Buying a Toll Brothers home which is being built may be hazardous to your health and pocketbook. Follow the City building inspections daily and always follow up. The excuses for the building delays are enormous and can be prevented. HOA: Associa of Gulf Coast: However, the reason I am writing is because to the HOA Toll Brothers uses to manage my development; Solstice at Venice Florida. More
I also wonder if Toll Brothers has a financial "kickback" reason to use this HOA, Associa. Currently, Associa and Toll Brothers Nation Director of Community Associations has given me various responses that are open ended about a backyard stepping stone, artificial grass and install quality requirements, changing backyard fence requirements and lectured me about foliage I state I would ask permission for - to install in the future. I am going to need to hire a lawyer just to get a straight answer from the TB National Community Director and Associa.

Further, the bylaws want your car(s) in the garage. And you can park your golf cart in the driveway. How is that for appearances. The main issue here, the garages are not big enough to hold two cars. And the lots are not big enough to store your garbage cans outside-of course with a structure erected to hide the garbage cans. Toll Brothers really needs to look at their HOA guidelines if they want to keep their residents and if they want to be considered a Luxury Builder.

Overall: The HOA is inept. Homes are not built to support a family with family school and work needs. Watch your pocketbook. Your move in time will not be what they tell you. Plan on additional month after month, after month.We moved in March, by the time July came our countertop was changing colors and getting darker over the 3 months. We were told countertops were sealed. Have proof not sealed and this caused countertops to have dark spots where used more. Tolls Bros does crappy work and don't care. No communication. Had to always follow up. I guess they think it's easier to ignore problem. They said because I didn't report when we closed and waited it won't be covered, well it got darker with use due to it not being sealed. Toll bros is not luxury builders. Bad, cheap windows and just bad quality overall.

Reviewed Nov. 18, 2023

Buyer beware. First, get a realtor. Don't think you can negotiate and get a deal by saving them commission, they won't truthfully negotiate with you. Second, if you buy with Toll Brothers and plan to upgrade your entire house, and you have normal taste, as well as enjoy things like electricity, you are looking at around $155k in design center costs for mid level upgrades to kitchen, bathrooms, and luxury vinyl plank floors in a 3000sq ft house. More
They are not upfront with design center pricing at all. They will not even give you design center pricing or show you the options until you sign a non-refundable contract and pay them 20% of the price of the home, the lot premium and the construction upgrades. If you insist on getting design center pricing they just ask what your budget is and then tell you that you should be fine. They tell you the average person spends 12-15% of the cost of the home in upgrades, but can't tell you what that is based off of.

Let me tell you, after personal experience and speaking with people around the community 12-15% gets you a cherry picking menu where you end up with minimal upgrades and find yourself having to take their included-and outdated-products for the majority of the house. Plus you are paying construction upgrades for things like sliding doors, a fireplace, tray ceilings, or an open stairrail with wood treads (which are overpriced). Your home will look nothing like the model unless you plan to dish out $250k minimum.

Their included base level tile and cabinetry is horrifically outdated and it is honestly absurd that they don't include a better starting point in what is considered their "luxury level" homes. I've rented homes that cost $350k to purchase that had better finishes than Toll's base level $878k home (in the same square footage). It's a scam, and so disheartening to homebuyers. In my opinion these types of builders have just found another way to get rich quick. Not only do they charge an overpriced lot premium on top of the price of the home (that is priced based on surrounding comps), they overcharge by close to double or triple on many upgrades, and they don't discount off the product that comes with the house that you aren't going to use! So basically you get charged for a product that you are not getting!!

I have worked in the home design field for years and know the pricing and installation costs of their upgrade products. They are overcharging, by a lot. It really blows my mind. They could make more money if they charged a normal amount, because people could actually afford to upgrade their entire homes. Instead they reel you in with a beautiful model home, are not upfront or truthful on the pricing of upgrades, and you find yourself stuck in a contract for a million dollar home (after the lot premium and construction upgrades) that looks like it cost half the price because you can't afford to upgrade it fully.

I had no idea what to expect but I had heard stories of inflated pricing, so I budgeted high. I wasn't even close. They came back with triple what I expected it to be. It wasn't my first experience building a home either. I had built with another builder only 2 years prior and their upgrade pricing on a home that was 2000sq ft larger was half the price of Toll Brothers for the same product (or better) and the whole 5000sq ft. house was upgraded. Toll Brothers pricing isn't just inflated, it's a total ripoff. Oh, and the sales people are extremely helpful but once you sign the contract and give them your deposit expect to hear nothing from them again, other than from Toll Mortgage to pre-qualify you. If you try to get ahold of your sales rep they don't respond.

Reviewed Nov. 13, 2023

This company is the worst - they do not stand by their product and use materials that can easily break down and then cost so much money to replace. Since they mostly build in developments, you have to replace it with the exact same crappy material and cannot pick anything different. They do not respond to any requests and they are terrible, no wonder their new developments have not been selling.

Reviewed Nov. 9, 2023

Do not trust this company! They intentionally sold us a property that is basically a swampland. They could have easily installed drainage pipes but they took the cheapest route and installed a 'Swale'. Which means there's a river of water running through our backyard whenever it rains. And it's designed to get the water runoff from 3 neighboring properties!!!!! They refuse to fix the issue! It's also a breeding ground for mosquitoes and gnats and other insects! Toll Brothers only cares about profits rather than their customers! They are a complete disgrace and should have their contractor license revoked!

Reviewed Nov. 6, 2023

We had a house built and found that we had to check the work of all subcontractors. In other words, we had to do the job of the build manager. Some subcontractor work was good (e.g. countertop installation) but others were not. In particular, framing, roofing, and drywall was poor. We found a leak in the roof during construction that the builder did not notice. Framing was poor (crooked walls) and drywall was poor (visible seams/ gaps/bowed walls). Building oversight was poor, leading to work that needed to be redone, with significant delay in closing. We had four different build managers over 16 months. We had to drive 300 miles to visit the site, and felt we had to do this each month (or more) to make sure work/repairs were done right. They said they oversee construction "like it was their own home" being build, but this is just **. Be aware... you must spend a lot of your own time to ensure things are done right.

Reviewed Nov. 4, 2023

We did our due diligence and researched Toll, but we were assured that the complex we were interested in was the Pride of Their Fleet and that this was a new type of community. Well shame on us for not taking the "reviews" to heart. We got past the fact that everything is an upcharge and that you could only pick from their overpriced design center, we struggled through the constant delays, moving in 6 months after the promised date when others who bought after us were getting in sooner, and we dealt with construction equipment and dumpsters in our section of the community for over a year. More
What we had the hardest time with was the warranty department and their lack of response and care (Customer Care Center - HA!). They moved on to their next development project and left ours behind. The only saving grace was the hardworking groundsman who did the best he could with the restrictions Toll put on him. So understand that once they have your money don't expect anything but lip service, if you can even get that!!!

Reviewed Oct. 7, 2023

Toll Brothers are a horrible builder. I believe they use the cheapest materials they could find and charge an arm and a leg for them. The fences are relatively new, but they're already showing age. The paint is flaking off and the screws are popping out. Dozens of trees are dead or dying. The pavers in the front all need to be replaced, and the pool had to be emptied and resurfaced. All these are added cost for the homeowners. Toll Brothers builds a Development and gets out as soon as they can before, the amenities start to fall apart. New homeowners are left footing the bill for Toll Brothers' mistakes. They have to pay extra fees to get everything fixed. So if you think you're buying a house, keep in mind, you're also buying Toll Brothers mistakes and all the repairs that will be needed over the years. I'm surprised there's not a class action suit already.

Reviewed Aug. 30, 2023

I have built several homes in the DFW area over the years however, like many on this site I made the regrettable choice to build a TB home. I will start by saying the sales folks were a pleasure to deal with however management is another story. On numerous occasions throughout the process, I had the displeasure of dealing with Ann **, Area Sales Manager, and Jay **, Division President here in Dallas. These two individuals should be an embarrassment to TB. As several things were not adding up along the build process, I requested several meetings with both however neither one had any interest or time since they had me locked in with all the prepaids. When it came time for closing and the appraisal came in almost $200k under value and I looked to negotiate a little on the final sales price since I was going in almost 14% underwater on this home, their response was simply, "Don't worry, the market will come back in a few years." Profit is the only thing that matters to this management team and the words customer satisfaction do not exist in their vocabulary. I have now been in the home just over a month and still have contractors here on an almost daily basis due to questionable workmanship. I would NOT recommend TB to anyone, especially here in Dallas as long as these two are running the area.

Reviewed Aug. 29, 2023

The amenities are nice at Metro Crossing but Toll Brothers management are very hard to deal with. The sales VP Joyce has turned what we thought was going to be a wonderful experience into a nightmare. She has routinely turned down simple requests that were agreed to between us and our Toll Brothers Sales rep before we entered into contract. It's like dealing with DR Jeckyll and Mr Hyde. They promise you a lot before you put your deposit down, then they fight you tooth and nail on any changes or requests after you make your deposit. Their purchase contract is over 100 pages!

Reviewed Aug. 10, 2023

I signed a contract with Toll Brothers for a new luxury home built on June 4 and paid a significant deposit for the house, land, and structural options. On June 23, I received a welcome email from the Area Production manager. I was thrilled to receive this email and was glad I chose to build a house with To Brothers. Well, that is not the case anymore. On July 13th, I inquired about the status of permits, and the Area Manager responded that they were waiting for Structural and Architectural drawings to be completed and stated..."looking to start your home at the end of August." More
I emailed the Area Production Manager on 8/1/23, 8/3/23, and 8/8/23. Radio silence to my repeated emails inquiring if the subject drawings are completed, and the permit application is in process. Why would an Area Production Manager ignore a customer email when I'm paying well over $2M for the house baffles me. I'm so frustrated, to say the least, with the lack of communication. I never imagined the communications with Toll Brothers would be so bad

Reviewed Aug. 8, 2023

My parents had a house built this year in the Woodson's Reserve in Spring, TX. An additional water valve was not included in my laundry room. The water valve was installed and Toll Brother's sent out a contractor to repair the dry wall. The Contractor showed up at the house and my Mother instructed the individual to cover the counters in the laundry room so that dust would not be all over the place. The Contractor did not cover anything. She asked him three times to cover the items in the laundry room before beginning to work. After her multiple attempts went ignored she asked the individual to leave her home. He replied that he was not going anywhere. She asked him several times to leave and he refused. More
Thank God that another contractor that was hired by my Mom was there doing some electrical work and he intervened and made the individual leave. My Mother is elderly, what if she would have been by herself? Toll Brothers hires any and everyone. They build million dollar homes and get individuals to do the work for little to nothing. My Mom is uncomfortable with any of their contractors coming back into the house to finish the work. Toll Brothers' work is shoddy to say the least. I have had several problems with them and it is always a hassle to get things fixed. Beware when Toll Brothers sends contractors to your house. Be Protected.

Reviewed Aug. 2, 2023

PLEASE AVOID TOLL BROTHERS HOMES AT ALL TIME. We will never purchase a house from toll brothers. They use cheap vendors and act they care for their customers when warranty is submitted. At the end, they provide "reports" who were commissioned by these vendors and tells customers it is customers fault. Easy way out. They call themselves luxury home when they use cheap vendors and offer cheap products. NOT WORTH YOUR MONEY. PLEASE TAKE YOUR MONEY SOMEWHERE ELSE.

Reviewed July 20, 2023

We purchased a home in Lake Forest from Toll Brothers and have ran into non-stop problems. Toll assured us numerous times that we had multiple mechanisms to get them resolved including a completely white-glove first 3-months route where any issue will have a person quickly come to the home and repair the problem. 2-months in and all these promises couldn't be further from the truth. The staff treats every issue with no urgency unless it is life-threatening (which we did run into). Their ticketing system is slow and designed to push the problem away from Toll. More
The final straw was our oven quit working after barely using it 2-months in. We contacted Toll to address the issue and were told we have to go through a separate company's warranty department. This after stating multiple times all repairs would be handled directly by Toll in the first 3-months. The lack of care and customer empathy is astounding. Whatever reputation Toll has build over the years is no longer warranted. Do not believe anything this company says, be very careful of false promises as you will end up spending so much time and money to get a lemon repaired.

Reviewed July 16, 2023

Purchased a condominium home in a Toll development in Massachusetts (Regency at Glen Ellen in Millis). So many problems. A/C barely worked on second floor but after every song and dance in the book they refused to resolve the problem. Did a few things like moving the furnace over 8 feet, wider duct work and "balanced system" but never addressed main problem of undersized unit. Today it is set at 70 and temperature is 78. Only 79 degrees outside. When first moved in they forgot to put any heating ducts in the two first floor bathrooms. After months of waiting finally did a very poor job so that the master bathroom still always cold in the winter. The list goes on and on. My advise -stay away from Toll-only in it for the profit. Not a quality company.

Reviewed June 20, 2023

I'm a big fan of Toll Brothers as it has a great reputation for providing luxury housing across the country. So, when I heard they were building a new condo in Manhattan (where I live), I signed up to get info on it - expecting this new condo development to be amazing. So, I was deeply disappointed when I saw the floor plans and tacky materials used. The size of the bedroom in the one-bedroom units was about 9 x 11 and the living room was only 10 x 16 -- and very little closet space - which is ridiculous. How is this a "luxury" building if the bedroom is only 9 x 11? I was expecting at least 14 x 18 - AND a large walk-in closet. The living room, at a minimum, should have been at least 13 x 24. More
Instead, Toll is clearly following the lead of other newer developments lately, where the developer builds claustrophobic-sized bedrooms in order to cram as many units into the development as possible to make the maximum amount of money. And the bathrooms? Where are the nice long vanities that go with luxury apartments? These were tiny bathrooms with virtually no vanities. And the floors? Tacky, cheap wood -- looks like the floor of a cottage - as if they used the cheapest wood possible.

What happened to Toll Brothers? This is not a luxury building -- My current rental is far larger with far more features (including a walk-in closet) than your so-called "luxury" units. Extremely disappointing. The location -- at 2688 Broadway - isn't even a great location. So they don't even have that going for it. Being located in a peripheral area of Manhattan, I expected above-average sized units, large vanities, walk-in-closets and the finest flooring available. Yet, your units have none of that. You've sacrificed your reputation as a luxury builder with this condo development - and now are just the same as every other greedy developer in Manhattan, that's making these cookie-cutter sized rooms to cram in as many units as possible - even if the units are unlivable to the people buying them as their primary home.

Reviewed June 16, 2023

I have purchased two Toll Brothers homes. The first one was a single-family home that I bought brand new. My experience was excellent. The designers and other service providers did their best to help me to decide every detail of my house and in many ways try to help me make good decisions. My house was ready to be lived in the date indicated. It was beautiful and they were kind enough to put sod in the front of my house to make it attractive from the beginning. While I lived in that house 14 years, I learned the quality of a Toll Brothers house. When it got cold outside, I was warm. When it got warm outside I was comfortable. I never felt a single draft or leak in the windows or doors. It was a home I was proud to own, and I so enjoyed living in such a gorgeous home. More
The kitchen was meticulous. Every room was the right size and every bathroom had everything you would need. I purchased it at almost half the price of its value now, I miss it a lot but it was time to move on. One of the important things you need to know is that this development had some issues with the stucco and leakage in the windows. We all contacted Toll Brothers and met with them to discuss and our association provided some guidance. It turns out although beautiful stucco is very problematic. It's very hard for anyone to get it right.

After I contacted Toll Brothers, they came out and replaced the stucco with beautiful cement siding, new Stonewall, all new windows and a new front door. My nine year old house now looked like a brand new house. I need to tell you they did this at no charge to me - they owned up to it, and did the right thing. They were easy to deal with, and I was pleased with the whole outcome.

My second home is an almost 30 year old Townhome that I have wanted to live in for a long time. This development was well thought out, beautiful design with every room, the right size. All of the townhomes are on the perimeter of a man-made lake that they created which is beautiful and sets a very nice stage. They also built a tennis court and walking trail. I can ride my bike out of my house to the walking trail or to the street that circulates the lake. It is admired and sought after as a townhome and a very nice upscale suburban town. Yes, it's almost 30 years old so some parts of it could've been built better but things were done differently than they are now thankfully. Now, if you buy a townhome, it's a small box, there's no lake, there's no tennis courts and it's half the size of the house now I have.

I get really sad when I hear negative things about Toll Brothers because my experience has been nothing but good and I haven't seen a House more beautiful inside and out by any other builder that I like. They have great designers inside and out and you should never be afraid to choose a Toll Brothers house. Best of luck to you.

Reviewed June 9, 2023

Getting home constructed from Toll Brothers sounds really exciting on the surface but the real experience is much worse than you can ever imagine. I am regretting my decision and would NEVER EVER recommend Toll Brothers to anyone else. I am at a real estate business and had to convince 3 friends from not buying in my neighborhood. Structural engineering is bad along with bad retaining walls, landscaping. Our house was closed with more than 20 outstanding issues and it hasn't been fixed till date. My house is on a slope and the retaining wall are already scaring everybody because it's not retaining well. It doesn't have appliances yet. I was fake promised a temporary ones.

WILLOW SPRINGS PHASE 2A, BLOCK A, LOT 10, ACRES .59

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

At such time, the Planning and Zoning Commission and City Council will conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to either (PD-SF) Planned Development for SF-22 Single Family Residential Uses or (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road. **(Case No. ZA-2024-01)**

PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

1. We already have too much traffic and this will not help that.
2. We have a water shortage and this will not help that.
3. City Service are already strained.

Signature: Robert Shipley
Name (printed): Robert Shipley
Address: 605 Willow Springs Dr. Heath
Phone/Email Address (optional): 214-384-6376
SHIPLEY, Robert@SBCglobal.Net

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

ROBERT & GEORGIA SHIPLEY
605 WILLOW SPRINGS DR
HEATH, TX 75032

HEATH CROSSING PHASE 4A & 4B, BLOCK B, LOT 5

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Check one: ☐ I am in favor of the variance request. ☒ I am opposed to the variance request.

Reasons: (Attach a separate sheet as needed.)

- Infrastructure in the area cannot support the traffic
- Lack of consideration in keeping green space & trees as a priority

Signature: [signature]

Name (printed): Kody Shipley

Address: 121 Sawgrass

Phone/Email Address (optional): 4809556575

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

KODY RAY SHIPLEY & HALEY JANE FINKENBINDER
121 SAWGRASS DR
HEATH, TX 75032

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

The developer considering this land is not custom home builders and will take money and jobs from citizens of Heath.

Signature: Erika Smith

Name (printed): Erika Smith

Address: 214 Bristol Ct Heath TX 75032

Phone/Email Address (optional):

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

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Reasons: (Attach a separate sheet as needed.)

1. Traffic congested 2. Depriation of current propcrty
3. Historical problems & terrible reviews 4. SUBSTANDARD to current housing developements on lacre plot, NOT Looking to Live in Forney or Rowlett

Signature: Karen Spray

Name (printed): Karen

Address: 102 Yorkshire, Heath

Phone/Email Address (optional): 214-244-3935
Karen@Kwildbmarketing.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend the public hearing and participate.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Should NOT allow any Building Permits until water Problem is solved.

Look at Toll Brothers reviews Not a custom builder, Tract home Builder

Signature: James O. Spray

Name (printed): James O. Spray

Address: 102 Yorkshire Dr. Heath, TX

Phone/Email Address (optional): SPrayd52@yahoo.com

972-977-4018

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECII

From: karen@kandbmarketing.com
Sent: Monday, June 10, 2024 2:15 PM
To: Aaron Adel
Subject: NO to Variance
Attachments: PLANNING AND ZONING HEATH .pdf

Categories: AA To Do

We are in firm disapproval of proposed changing property designation !
Our move to Heath was based on the 1 acre development plan, custom homes,etc. And until we get more water, we don't need anyone moving in!

Karen Spray
102 Yorkshire
Heath, Texas 75032
214-244-3935
Karen@kandbmarketing.com
www.kandbmarketing.com



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

WILLOW SPRINGS #1, BLOCK A, LOT 8

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Development needs to cease until the city resolves our lack of water & the high cost of our water.

Signature: MG & JK Taylor

Name (printed): Mark G. Taylor

Address: 521 Willow Springs Drive

Phone/Email Address (optional): mtaylor1045@gmail.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

MG & JK TAYLOR LIVING TRUST
521 WILLOW SPRINGS DR
HEATH, TX 75032

HEATH CROSSING PHASE ONE, BLOCK C, LOT 1

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

See Attached

Signature: Dan Trollinger

Name (printed): Dan Trollinger

Address: 101 Mallard Crossing

Phone/Email Address (optional):

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DANNY L & JEAN A TROLLINGER
101 MALLARD CROSSING
HEATH, TX 75032

I have not seen the development plan. It would have to comply with the City of Heath Comprehensive Plan, and all city ordinances that apply to developments. I would not be in favor of anything less than one acre lot size.

Toll Brothers is a high production builder with limited sets of house plans for their subdivisions. How many sets of plans would be available for this subdivision? I do not think Toll Brothers can build a 1.5 million plus home with the quality of the custom homes in most Heath subdivisions.

They are a cookie cutter builder with limited sets of plans for each subdivision and quality that does not match the custom home builders we presently have in Heath.



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***Check one*:** ☐ **I am in favor of the variance request.** ✓ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

This City has a very large water problem. There should be NO building until the lack of water is actually solved. Not a plan, but actually more water available than we know what to do with it. However, if the City will NOT uphold its promise to save water, than there should only be homes built on one acre lots per 159.21 SF-42 . This City does not have water to spare.

Signature: Paul D. Trump

Name (printed): Paul Trump

Address: 612 Willow Springs Drive, Heath

Phone/Email Address (optional): 310-702-1495

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
Not enough water or roads to support this.

Signature: [signature]
Name (printed): Jana Windels
Address: 2508 Cambridge Dr. Heath, TX 75032
Phone/Email Address (optional): 214-288-5310

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Not enough water or roads.

Signature: _____

Name (printed): Todd L. Windels

Address: 2508 Cambridge Heath TX 75032

Phone/Email Address (optional): 214 212-4038

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: Grant Windels

Name (printed): Grant Windels

Address: 2504 Cambridge Dr. Heath, TX 75032

Phone/Email Address (optional): [redacted]

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

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***Check one*:** ☐ **I am in favor of the variance request.** ☑ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: _____

Name (printed): Matt Windels

Address: 2508 Cambridge Dr. Heath, TX 75032

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

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***Check one*:** ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)
Let's Keep Heath @ 1 acre lot + fix the water shortage

Signature: Tracy Cambon
Name (printed): Tracy Cambon
Address: 5 Brighton Ct Heath Tx 75032
Phone/Email Address (optional): TLZimbonio@yahoo.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

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Check one: ☐ **I am in favor of the variance request.** ☒ **I am opposed to the variance request.**

Reasons: (Attach a separate sheet as needed.)

Signature: _____

Name (printed): Roy S. ZAMBONINO

Address: 5 BRIGHTON CT. HEATH, TX 75032

Phone/Email Address (optional): 214-885-7314

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
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Thank you!
City of Heath, Texas

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972-638-8460
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Real estate advertised in this newspaper is subject to the amended Federal Fair Housing Act of 1968, which makes it illegal to advertise any preference, limitation or discrimination based on race, color, religion, sex, handicap , familial status or national origin or intention to make such preference, limitation or discrimination. This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. For complaints call the Fair Housing Office in your city or HUD 800-669-9777.

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Maypearl TX 76064
Furniture, Antiques, Crystal, Glassware, Outdoor furniture, Harley Davidson leathers, dog supplies. Come and get it!

Auction Sales

Antique Mall Liquidation Auction Sat May 25 10:30am & Sun May 26 12:30pm 2251 S 32 st Muskogee, OK Mall has been closed over 25 years Finest antiques you will ever find Baileydavisauctions.com see facebook or auction zip. 918.840.3997

Books, Magazines

Comicbook collection, valued at over $6,000 asking $2,500 cash. Call or Text 254-290-2174

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- Dogs
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- Pets Lost
- Services & Supplies

Due to potential misuse/ abuse of pets, *The Dallas Morning News* suggests that advertisers charge a minimal fee for their pets. Every life has a value. Also, due to health risks to the pets, we recommend puppies and kittens are at least 8-12 weeks old before they are sold. Use caution when responding to pet ads that involve unusual payment plans or require long-distance shipping. Find your pet from a trustworthy source. If purchasing from a private party or breeder, ask to see where the pets live to ensure the environment is a clean and healthy one. Reputable breeders will almost always provide detailed geneological information and a health guarantee. You are encouraged to report suspected inhumane conditions and animal abuse/neglect to the Humane Society and your local authorities.

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PETS & LIVESTOCK

- Bankruptcy, Court Sales
- Bids and Proposals
- Legal Notices

Bids & Proposals

PO#1233-9786 / DO#1106843
CITY OF DALLAS
PROCUREMENT ADVERTISEMENT FOR BIDS

Sealed bids will be received electronically via the City of Dallas' solicitation website at https://dallascityhall.bonfirehub.com until 1:00 P.M. on Fridays. All bids will be publicly read at 2:00 P.M on Fridays and can be viewed on the City of Dallas website at www.dallascityhall.com (see City Meetings). Bids titles and dates of public opening are listed below. Bid Packets may be obtained by downloading from https://dallascityhall.bonfirehub.com.

BU24-00024849 - Tire, Trash, and Debris Removal from the Trinity River and Lake Ray Hubbard – Commodity Codes – 12092, 48567, 51585, 90976, 91027, 92694, 96239, 96871, 98856, 99848 (Bids Due on 06/21/2024, Bid Reading on 06/21/2024)

BF24-00024933 - Steel and Aluminum – Commodity Code – 00584 (Bids Due on 06/21/2024, Bid Reading on 06/21/2024)

BK24-00024832 - Hydraulic Cylinders Pumps and Valves – Commodity Code – 06061 (Bids Due on 06/14/2024, Bid Reading on 06/14/2024)

PO#1233-9789 / DO#1108723
CITY OF DALLAS
ADVERTISEMENT REQUEST FOR COMPETITIVE SEALED PROPOSALS

Competitive Sealed Proposal(s) will be received via the City of Dallas' solicitation website at https://dallascityhall.bonfirehub.com until 1:00 pm on Fridays. All Proposers' company name(s) will be publicly read at 2:00 pm on Fridays in the Express Business Center, RM L2ES at City Hall, and can be viewed on the City of Dallas website at www.dallascityhall.com (see City Meetings). Proposal's titles and dates of public reading are listed below. Proposal Packets may be obtained by downloading from https://dallascityhall.bonfirehub.com.

BKZ24-00024917 – Mental and Behavioral Health – Citywide and Districts 9, 12, and 13 – Commodity Code– 91867 (Bids Due on 06/14/2024, Bid Reading on 06/14/2024)

Bids & Proposals

PO#1107582
CITY OF DALLAS
ADVERTISEMENT REQUEST FOR COMPETITIVE SEALED PROPOSALS

Competitive Sealed Proposal(s) will be received via the City of Dallas' solicitation website at https://dallascityhall.bonfirehub.com until 1:00 pm on Fridays. All Proposers' company name(s) will be publicly read at 2:00 pm on Fridays in the Express Business Center, RM L2ES at City Hall, and can be viewed on the City of Dallas website at www.dallascityhall.com (see City Meetings). Proposal's titles and dates of public reading are listed below. Proposal Packets may be obtained by downloading from https://dallascityhall.bonfirehub.com.

BDZ24-00024980 - Janitorial Services for Aquatic Spray Grounds – Commodity Code – 91039 (Bids Due on 06/14/2024, Bid Reading on 06/14/2024)

BMZ24-00024716 - Food and Drink Concession Services at Kiest Softball Complex – Commodity Code – 91852 (Bids Due on 06/21/2024, Bid Reading on 06/21/2024)

BVZ24-00024974 - Underwriting Services for Real-Estate based Economic Development and Community Development Projects – Commodity Code – 946 (Bids Due on 06/14/2024, Bid Reading on 06/14/2024)

PO# 1233-9788 /DO#1108722
CITY OF DALLAS
ADVERTISEMENT REQUEST FOR PROPOSALS

Proposal(s) will be received via the City of Dallas' solicitation website at https://dallascityhall.bonfirehub.com until 1:00 pm on Fridays. All Proposers' company name(s) will be publicly read at 2:00 pm on Fridays in the Express Business Center, RM L2ES at Dallas City Hall, and can be viewed on the City of Dallas website at www.dallascityhall.com (see City Meetings). Proposal's titles and dates of public reading are listed below. Proposal Packets may be obtained by downloading from https://dallascityhall.bonfirehub.com.

BIZ24-00024973 - Supportive Housing for Seniors – Commodity Code – 95200 (Proposals Due on 06/28/2024, Reading on 06/28/2024)

BIZ24-00025066 - Senior Services Strategic Planning – Commodity Code – 95200 (Proposals Due on 06/28/2024, Reading on 06/28/2024)

Bids & Proposals

CITY OF PLANO LEGAL NOTICE

Bids will be due at 2 pm on 6/26/2024 and publicly opened at the City of Plano Municipal Center in the BI Conference Room at 2 pm on 6/27/2024.

Bid No.: 2024-0411-B, Water Rehab - River Bend Phase 1, Project No. 7466. Instructions for bidding may be obtained at www.plano.gov/purch, www.planotx.ionwave.net or by calling 972-941-7557.

CITY OF PLANO LEGAL NOTICE

Bids will be due at 2 pm on 6/26/2024 and publicly opened at the City of Plano Municipal Center in the BI Conference Room at 2 pm on 6/27/2024.

Bid No.: 2024-0442-B Robinson Justice Center Security Electronics Upgrade Project No. FAC-F-00023. Instructions for bidding may be obtained at www.plano.gov/purch, www.planotx.ionwave.net or by calling 972-941-7557.

Legal Notices

Application has been made with the Texas Alcoholic Beverage Commission for a Retail of Wine and Malt Beverage Off-Premises BQ Permit by SSP JOINT VENTURE INC DBA's GOLDEN MINI MART address 928 E BERRY ST FORT WORTH TEXAS 76110 in TARRANT County by officer of SSP JOINT VENTURE INC said by, Mr. SUMIT PANDAY – President/Secretary.

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Bids & Proposals

Bids & Proposals

Bids & Proposals

LEGAL NOTICE

McCownGordon Construction, as Construction Manager at Risk, will receive trade partner bids for construction subcontracts for **Irving ISD Transportation and Logistics Center until June 12, 2024, at 2:00PM. Bids received after this time may not be accepted or considered.** Bids shall be on a lump sum basis and include the appropriate bid form, bid package and detailed proposal. Bid Forms and Bid Packages will be posted on/before 05.31.24.

A Pre-Proposal Meeting and Site Visit will be held on Wednesday May 29, 2024, at 10:00 AM at Irving ISD, Transportation Building - Break Room, 3211 Pioneer Drive, Irving, TX 75061.

Bids will be received electronically through Building Connected, by email at texasbids@mccowngordon.com, or by mail or hand delivery at McCownGordon Construction, 5700 Granite Parkway, Suite 800, Plano, TX 75024 until the date and time shown above. A completed Bid Form, Bid Package, and detailed bid proposal is requested with each bid.

Bid Documents are available via Building Connected and through local trade organizations.

McCownGordon Construction reserves the right to reject any or all proposals, waive technicalities, advertise for new proposals, or proceed by other alternative means when in the best interests of Irving ISD and/or McCownGordon Construction. Bids will be opened privately.

No bidder may withdraw its Proposal within ninety (90) calendar days after the bid date.

Direct questions or concerns to: texasbids@mccowngordon.com

Legal Notices

Legal Notices

Legal Notices

CITY OF ALLEN
PUBLIC NOTICE

Notice is hereby given that the Allen City Council adopted the following Ordinance at its regular meeting held on Tuesday, May 14, 2024.

ORDINANCE NO. 4079-5-24: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE DEVELOPMENT REGULATIONS OF PLANNED DEVELOPMENT "PD" NO. 3 WITH A BASE ZONING OF LIGHT INDUSTRIAL "LI" RELATING TO THE DEVELOPMENT OF LOT 1, LOT 2R, AND LOT 3R, BLOCK A, ALLEN BUSINESS CENTER II, ADOPTED BY ORDINANCE NO. 3318-7-15; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

A copy of this Ordinance may be read or purchased in the Office of the City Secretary, City of Allen, 305 Century Parkway, Allen, Texas 75013, or may be viewed at CityofAllen.org .

/s/ Shelley B. George, City Secretary

NOTICE OF PUBLIC AUCTION OF CERTAIN COLLATERAL PURSUANT TO THE UNIFORM COMMERCIAL CODE, ARTICLE 9

Pursuant to the terms of (a) the Security Agreement dated as of October 3, 2023 by and between Pipeline East Dallas, LLC, a Delaware limited liability company (" **Grantor** "), and SRC Hospital Investments I, LLC, a Delaware limited liability company (" **Secured Party** ")(as in effect on the date hereof, the " **Security Agreement** "), and in connection with the Promissory Note dated as of October 3, 2023 made by Heights Healthcare of Texas, LLC, a Texas limited liability company and (b) the relevant sections of the Uniform Commercial Code (the "UCC") applicable to the Security Agreement, Secured Party will sell at public auction the following property of Grantor: all of Grantor' rights, title and interest in all Accounts, Deposit Accounts, and books and records relating to such Accounts and Deposit Accounts belonging to Grantor, as defined in the applicable sections of the UCC (the " **Collateral** ").

The auction will commence on May 28, 2024 at 10:00 a.m., prevailing Central Time (the " **Auction** "). The Auction will take place at the offices of Duane Morris LLP, 100 Crescent Court, Suite 1200, Dallas, Texas 75201. In order for a bidder (other than Secured Party) to be eligible to bid at the Auction, such bidder must be a "Qualified Bidder" as defined in the Notice of Disposition of Collateral. A copy of the Notice of Disposition of Collateral and additional information concerning the Collateral and the Auction can be obtained by contacting counsel to Secured Party, N. Paul Coyle, Duane Morris LLP, 190 South LaSalle Street, Suite 3700, Chicago, IL 60603, phone (312) 499-0109.

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a Public Hearing at a meeting that begins at 6:30 p.m. on Tuesday, June 4, 2024, at Heath City Hall, 200 Laurence Drive, Heath, Texas. Further notice is given that an additional Public Hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, June 11, 2024, at Heath City Hall, 200 Laurence Drive, Heath, Texas.

At such time, the Planning and Zoning Commission and the City Council will Conduct a Public Hearing and act on the following cases:

Case No. ZA-2024-01: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to either (PD-SF) Planned Development for SF-22 Single Family Residential Uses or (PD-SF) Planned Development for SF-43 Single Family Residential Uses on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. (Rockwall CAD No. 12706)

Case No. CUP-2024-03: Conduct a Public Hearing and act on a Conditional Use Permit to allow the construction of a 2,981 square foot gatehouse, resulting in a Combined Floor Area for All Accessory Buildings of 8,323 square feet and exceeding the Maximum Combined Floor Area for All Accessory Buildings of 6,500 square feet allowed in the Heath Code of Ordinances, § 159.20(B)(7) on 20.18 acres of land in the (A) Agricultural District, addressed 7229 FM 549, and further described as Abstract 231, A. Rodriquez Survey, Tract 12-9, City of Heath, Rockwall County, Texas. (Rockwall CAD No. 71735)

Please Note: The reviewing body may table these public hearings from time to time, which may affect the final action date.

Citizens are invited to attend and participate in these public hearings. Information regarding these hearings may be obtained by calling 972-961-4875 or emailing aadel@heathtx.com.



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JUMBLE THAT SCRAMBLED WORD GAME
By David L. Hoyt and Jeff Knurek

Unscramble these Jumbles, one letter to each square, to form four ordinary words.

FMREA
HITDR
STGAEK
MORCEH

Get the free JUST JUMBLE app • Follow us on Twitter @PlayJumble

Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

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Answer here: _____ _____

(Answers tomorrow)

Yesterday's Jumbles: JUROR DEPTH CHUBBY SUMMON
Answer: They always played the same songs, and being the percussionist was a — HUMDRUM JOB

DN-1865518-23

The Dallas Morning News

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared David Ferster, Advertising Representative for *THE DALLAS MORNING NEWS* being duly sworn by oath, states the attached advertisement of: **Ad# 1870942**

City of Heath

Appeared in *The Dallas Morning News* on ***May 23, 2024***

Dallas Morning News Sales Operations

Sworn to and subscribed before me this Date: 08/02/2024

DANIEL NAVARRO
Notary Public, State of Texas
Comm. Expires 03-22-2028
Notary ID 134822067

Notary Public, State of Texas

CITY of HEATH
Planning & Zoning Commission
Agenda Brief

MEETING DATE: 08/06/2024 **AGENDA ITEM: 6.b**

Item:

Case No. ZA-2024-03: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to (SF-43) Single Family Residential District on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. (Rockwall CAD No. 12706)

Applicant:

Jim Knight, KFM Engineering and Design

Owners:

BC Golf II Limited

Current Zoning:

(A) Agricultural District

Requested Zoning Amendment:

(SF-43) Single Family Residential District

Public Notification:

Notice of Public Hearing was sent to neighbors within 500 feet, posted on the website, and published in the Dallas Morning News by July 25, 2024. All returned notification responses are attached.

Financial Impact:

.

Legal Impact:

.

Comprehensive Plan Impact:

Future Land Use Plan Designation: Rural Estate
Description: Large-lot, single-family residential development
Density: Overall minimum of 1 acre lots
Corresponding Zoning District(s): Agriculture, SF-3 (see Recommendation 4.5, codified in Heath Code of Ordinances section 159.31), and SF-43

Compliance Summary:

See the attached Ordinance Compliance Matrix for compliance with § 159.23 (SF-43) Single Family Residential District regulations.

Consider the Zoning Ordinance, § 159.05 PURPOSE OF THE USE DISTRICTS. The purpose of the use districts described is to group together into districts those uses that are reasonably compatible with one another according to their normal characteristics of operation:

A. To permit, in connection with these uses, those customary and necessary accessory activities which are incidental to the principal use;
B. To permit certain other uses which may be established in some situations and subject to specific conditions so that the special uses will also be compatible with the uses allowed as a matter of right;
C. To promote orderly, timely, economic growth and to recognize current land-use conditions;
D. To provide sufficient space in appropriate locations for development to meet the present and future growth needs of the city, with allowance for adversity of sites;
E. To protect use areas, as far as possible, against heavy and unnecessary through traffic;
F. To protect use areas against pollution, environmental hazards, and other objectionable influences;
G. To protect use areas against congestion, as far as possible, by managing the density of population in and around them; by providing for proper off-street parking spaces; and by providing open areas for rest and recreation and to break the monotony of continuous building bulk, thus providing a more desirable environment;
H. To provide for privacy and access of light and air to windows and to all devices that are powered or healed by the sun, as far as possible, through controls over the spacing and height of buildings and other structures;
I. To promote the most appropriate use of land and direction of building development which is not in conflict with the Comprehensive Plan or the adopted policies of the city; to promote stability of development; to protect the character of the districts; to conserve the value of land and buildings; and to protect the city's tax base;
J. To promote the most efficient use of city facilities and services;
K. To protect against fire and explosions and other safety hazards, and to provide for fire protection and access by fire equipment and vehicles;
L. To accommodate use activities and operations whose external physical effects are restricted to the area of the district, and in no manner affect in a detrimental way any of the surroundings districts; and
M. To preserve and protect the favorable and unique quality of life enjoyed by the citizens of the city.

Regarding Comprehensive Plan compliance, see Land Use Strategy > Procedural Land Use Policies > Rezoning Decisions, Recommendation 4.8 (p. 27, 2018 Comprehensive Plan): Use the Land Use Strategy text and map as a guide to determine whether the requested rezoning is appropriate and consistent with the City's ideals of quality and sustainability. Consider the following questions related to concepts within

this Comprehensive Plan prior to approving rezoning requests:

- Does the development provide something unique for Heath?
- Is the development within walking distance to public uses, parks, and open spaces?
- Does the development provide off-street pedestrian and bicycle connections to existing and future development?
- How does the development proposal impact the City fiscally – tax revenue, infrastructure, public services, and other public considerations (such as parks, schools, etc.)?
- How does the development respect environmentally significant areas like floodplains – are these areas used as an amenity?
- Ensure that the proposed development is of a type and quality that will be acceptable for the long-term, especially if immediate development of the property is not intended to occur upon the granting of the proposed rezoning.

The application complies with one zoning district listed in the 2018 Comprehensive Plan, but there are two other zoning districts in the Plan that could be considered.

Attachments:

ZA-2024-03 Heathland Crossing Perry SF43 Application.pdf
ZA-2024-03 Heathland Crossing Perry SF43 Conceptual Layout.pdf
ZA-2024-03 Ordinance Compliance Matrix.pdf
ZA-2024-03 Heathland Crossing Perry SF43 DRC Comments.docx
ZA-2024-03 Heathland Crossing Perry SF43 Survey.pdf
ZA-2024-03 Heathland Crossing Perry SF43 Vicinity Map.pdf
All Responses for P&Z Packet.pdf
ZA-2024-03 Heathland Crossing Perry SF43 Legal Notice DMN 20240725
ZA-2024-03 Heathland Crossing Perry SF43 DMN Affadavit.pdf

ZONING CHANGE APPLICATION AND PLANNED DEVELOPMENT CHECKLIST

	LEGAL OWNER:	APPLICANT *(IF DIFFERENT)*:
Name (printed):	B C GOLF II LTD	JIM KNIGHT
Mailing Address:	947 W RALPH HALL PKWY	3501 OLYMPUS BLVD, STE 100
	ROCKWALL, TX 75032	DALLAS, TX 75019
Telephone Number:		469-899-9321
Email Address:		JIM@KFM-LLC.COM, MHESSE@KFM-LLC.COM

ADDRESS OF PROPERTY INVOLVED: FM 740/ RIDGE RD, HEATH, TX 75032

COUNTY CAD PARCEL ID NUMBER(S): 12706

LEGAL DESCRIPTION OF PROPERTY INVOLVED: Include Lot, Block, Subdivision Name, Survey, Abstract, and Address. Attach a separate page for metes and bounds descriptions.

ABSTRACT 207, E. TEAL, LOT 55

NOTE: The legal description is used to publish notice of the required hearings and prepare the final ordinance granting the zoning change. The description must be sufficient to allow a qualified surveyor to take the description and locate and mark off the tract on the ground. Each applicant should protect himself by having his surveyor or attorney approve his legal description. Failure to do so by the applicant may delay the passage of the final ordinance or the ordinance being declared invalid at some future date because of an insufficient legal description. *The applicant may use the attached certificate to give notice to the City of the sufficiency of the legal description; however, the same is not a requirement of the Application.*

CURRENT ZONING OF THE PROPERTY: AGRICULTURE

REQUESTED ZONING OF THE PROPERTY: SF-43 SINGLE FAMILY RESIDENTIAL DISTRICT

If the Requested Zoning is Planned Development, address all items in the Planned Development Checklist included with this application.

REASON FOR REQUEST: ZONING TO ALLOW DEVELOPMENT OF A SINGLE FAMILY (SF-43) RESIDENTIAL DISTRICT WITH NO VARIANCES TO THE CODE OF ORDINANCES REQUESTED.

*** If there are DEED RESTRICTIONS pertaining to the intended use of the property, include a copy of the restrictions.**

The zoning change review and approval process takes approximately 60 days from the application deadline. The Planning and Zoning Commission and City Council will conduct public hearings and act on this application. A project representative must attend the Planning and Zoning Commission and City Council meetings to testify and answer questions from the Commission and Council.

OWNER STATEMENT: I have attached to this application, as Exhibit "A", a plat showing the property that is the subject of this requested Zoning Change and have read the note above concerning the importance of my submission to the City of a sufficient legal description.

OWNER SIGNATURE: Kelley Lewey **DATE:** June 14, 2024

LEGAL DESCRIPTION CERTIFICATE:

I hereby certify that I have checked the legal description of the property described in this Application and the same describes the tract of land shown on the Plat attached hereto as Exhibit "A" and said description is sufficient to allow a qualified surveyor to locate and mark off said tract on the ground.

_____

Signature of (Circle One) SURVEYOR / ATTORNEY FOR THE APPLICANT

CITY OFFICE USE ONLY:

Fees paid $_____ Check #_____ CC _____ Cash _____

P&Z Hearing Notice Published & Mailed (10 days prior): _____

P&Z Public Hearing: _____

City Council Notice Published (15 days prior): _____

City Council Public Hearing: _____

PLANNED DEVELOPMENT CHECKLIST:

If the requested zoning is a Planned Development, all items in the following list must be addressed in the Concept Plan and Development Plan. The following requirements are established by the Heath Code of Ordinances, § 159.28 (PD) PLANNED DEVELOPMENT DISTRICT with references included in (parentheses). This checklist provides a summary only and does not outline every requirement. **This checklist is to be used in conjunction with, not instead of, the appropriate ordinances.**

1. ☐ An application for a "Planned Development District" is submitted to the Planning and Zoning Commission in the same manner as an application for a zoning change. The application is accompanied by the items required by the Zoning Ordinance, including a Concept Plan.

2. ☐ Concept Plan shall be submitted on a topography base map at a scale of 1"=100' or ( ). Also included is an 8-1/2"x11" reduction, with no less than 5' contour intervals. (E.1.b)

3. ☐ Concept Plan shall include all items in Section 158.05 of the Subdivision Regulations as summarized below (see ordinance for details):

   a. ☐ Names and addresses of the subdividers, record owner, land planner, engineer and/or surveyor.

   b. ☐ Proposed name of subdivision.

c. ☐ Location in relation to the rest of the city and boundaries of proposed subdivision.

d. ☐ A schematic layout of the entire tract and its relationship to adjacent property and existing adjoining development.

e. ☐ Proposed major categories of land use showing existing and proposed zoning.

f. ☐ Proposed number of dwelling units and population densities.

g. ☐ Proposed and existing arterials and collector streets to serve general area.

h. ☐ Location of sites for parks, schools and other public uses as shown in the comprehensive plan.

i. ☐ Significant natural drainage features including drainage courses and wooded areas, as delineated on USGS topographic maps or any other topographic maps showing equivalent information.

4. ☐ Concept Plan includes a metes and bounds description of the entire PD tract. (E.1.b.1)

5. ☐ Concept Plan includes a drawing locating flood plain areas, water bodies, creeks, drainage areas, and significant natural features. (E.1.b.2)

6. ☐ Concept Plan includes sufficient evidence to establish that the applicants are the owners and/or have control of all the outstanding interests in the land and structures herein. (E.1.b.3)

7. ☐ Concept Plan includes a drawing locating all land use areas, providing a preliminary layout of the lots and interior streets in each area, showing proposed gross acreage of each use, open space, max lots coverage, max height, min setbacks, residential densities, approx gross floor area and floor area ratio for all commercial and office uses. (E.1.b.4)

8. ☐ Concept Plan includes location of all major access points, thoroughfares and collectors within the development. (E.1.b.5)

9. ☐ Concept Plan identifies all major land use classifications approx acreage within development related to current zoning district designations or specific purpose. (E.1.b.6)

10. ☐ Concept Plan includes indication of each phase of development if the proposed PD is to be in separate phases. (E.1.b.7)

11. ☐ Concept Plan includes indication by acreage or percentage of total development of all major areas planned for public and private open space. (E.1.b.8)

12. ☐ Concept Plan includes land area within the site and land area of all abutting sites with zoning classifications thereon, and dimensions and locations of all public and private rights-ofway and easements bounding and intersecting the site. (E.1.b.9)

13. ☐ Concept Plan includes location and height of each wall, fence and screen planting used as a buffer between the uses and from adjacent property owners. (E.1.b.10)

14. ☐ Concept Plan includes all landscaped areas, including any reserved open space to be retained. Detailed landscaping plan may be required. (E.1.b.11)

15. ☐ Concept Plan may be required to include estimates of traffic volumes and turning movements. (E.1.b.12)

16. ☐ Concept Plan is signed by the applicant's engineer and planner, if any. (E.1.b.13)

17. ☐ Concept Plan is accompanied by a location map showing the relationship of the planned development to adjacent properties (noting the zoning classifications of such properties) and thoroughfares. (E.1.b.13)

18. ☐ If the project is to be developed in phases, a proposed phasing plan that identifies the sequence of development and a time schedule for installation of major capital improvements to serve the development (E.1.b.14).

19. ☐ Concept Plan shall include a chart depicting the following information by phase:

    a. ☐ Acreage of each proposed phase;

    b. ☐ Total number of dwelling units by type and lot size; and

    c. ☐ Minimum dwelling unit sizes. (E.1.b.15)

20. ☐ Concept Plan includes a general description of any homeowners association requirements and covenants to be imposed on the property. (E.1.b.16)

21. ☐ Concept Plan includes a written description of all requested deviations from the base zoning district in each phase and any other special development standards. (E.1.b.17)

22. ☐ A public hearing shall be conducted before the Planning and Zoning Commission in accordance with appropriate ordinances. (E.1.c)

23. ☐ The Planning and Zoning Commission makes a recommendation to approve or deny the zoning change to PD. (E.1.c)

24. ☐ The Planning and Zoning Commission makes a recommendation to approve, modify or deny the proposed Concept Plan and conditions. (E.1.c)

25. ☐ To begin development on all or part of a site, a final Development Plan shall be submitted. Upon its approval, the Development Plan shall be recorded and kept on file by the City, together with the preliminary plat. The Development Plan must conform to the approved Concept Plan, either for the total Planned Development District or for each phase. Consideration of a development plan that does not contain any major changes from the approved concept plan will not require additional public hearings. (E.2.a)

26. ☐ Development Plans for each phase may be submitted separately as the phases are ready for development. (E.2.g.)

27. ☐ The Development Plan is submitted to the City Secretary and includes a check list of items to be included on the Development Plan. (E.2.b)

28. ☐ Major changes in the Development Plan shall be considered the same as amendments to the Zoning Ordinance and the Concept Plan and processed accordingly. The following changes are not considered major changes: changes that do not alter the basic relationship of the proposed development to adjacent property; changes that retain the character of the development; changes that

do not significantly alter the uses permitted, or significantly increase the density, setbacks, height or coverage of the site; changes that do not significantly increase the problems of traffic circulation, safety or utility requirements.

29. ☐ If the Development Plan contains major changes from the approved Concept Plan, the Development Plan shall be rejected by the Planning & Zoning Commission and/or the City Council. A new application and filing fee (optional) shall be required and a public hearing City of Heath - Planned Development Guide Sheet 3 scheduled. (E.2.e)

30. The Development Plan, in addition to those items in the Concept Plan, shall include/show:

a. ☐ The development plan of the entire planned development or of the proposed phase at 1"=100' or ( ) and an 8-1/2"x11" reduction showing the proposed finished grade of the area at 2 foot intervals. (E.2.f.1)

b. ☐ A tabulation of the area proposed to be devoted to each land use and a tabulation of the average population density per net acre and per gross acre in the area proposed to be devoted to residential use. (E.2.f.2)

c. ☐ A description of the proposed lot or lots and boundaries thereof, and proposed setbacks on the lots and proposed minimum dwelling unit sizes. (E.2.f.3)

d. ☐ The plan includes, excepting single family dwellings, the location of each existing and each proposed structure in the development, the use/uses to be contained therein, the number of stories, the gross floor area, and the location of entrances and loading points thereof. (E.2.f.4)

e. ☐ All public rights-of-way, curb cuts, driving lanes, parking areas, loading areas, public transit areas, and illumination facilities for the same (design criteria may be required), including existing facilities to be relocated. (E .2.f.5)

f. ☐ All pedestrian walks, malls, and open areas for use by tenants or visitors. (E.2.f.6)

g. ☐ All reservations for public uses , including parks, playgrounds, schools and other open spaces. (E.2.f.7)

h. ☐ The location, size, height, and orientation of each sign, except signs that are flat on building facades and that do not directly face property in a residential district, or directional signs. (E.2.f.8)

i. ☐ Facilities for waste disposal on other than single family uses. (E.2.f.9)

j. ☐ Proposed street names for all public roads. (E.2.f.10)

k. ☐ The plan may be required to show elevations and/or perspective drawings to determine the relationship of the buildings to adjacent property, open spaces, and other plan features. (E.2.f.11)

l. ☐ Any and all of the required features may be incorporated on a single drawing that is clear and suitable for evaluation by City officials. (E.2.f.12)

m. ☐ A legal instrument establishing a plan for permanent care and maintenance of any common areas or communally owned facility and any privately owned open spaces. This submission is required prior to approval of a development plan. (E.2.f.13)

n. ☐ The title page of each application and set of plans are signed by the applicant's architect, planner, landscape architect, engineer and/or land surveyor if these services are required. (E.2.f.14)

o. ☐ A list of any changes from the Concept Plan which are contained in the Development Plan. (E.2.f.15)

p. ☐ Phases of development, including delineation of areas, building sites, land use and improvements to be constructed in independent phases and the scheduled timing and sequencing of development. (E.2.f.16)

q. ☐ If standards or deviations approved with the Concept Plan are different from the base zoning district, (ie. lot sizes, building setbacks and similar requirements) such standards and deviations shall be illustrated on the Development Plan. (E.2.f.17)

r. ☐ The full text of any homeowners or owners association requirements and covenants to be imposed on the property. (E.2.f.18)

31. ☐ **The application shall list all requested differences, if any, from the standard requirements set forth throughout the Zoning Ordinance.** Applications without this list will be considered incomplete **. (D.1)**

32. ☐ The Development Plan submitted under subsection E is accompanied by a preliminary plat that meets the requirements of the Subdivision Ordinance. (H.2)

SITE KEY

- SITE BOUNDARY: ± 158.2 AC
- BUILDABLE AREA: ± 148.5 AC
  EXCLUDES: FLOODPLAIN & SANITARY SEWER ESMT.
- FLOODPLAIN
- 15’ SANITARY SEWER EASEMENT: ± .47 AC
- PHASE LINE
- EXISTING PROTECTED TREES
- PROPOSED STREET TREES
- PROPOSED PARK TREES
- OPEN SPACE: ±17.84 AC (11%)
  EXCLUDES: ROW AND LOTS

1 ACRE LOTS

1 ACRE LOTS: ± 115 LOTS

± 0.72 DU/AC

HEATH ZONING REQUIREMENTS:

EXISTING ZONING: AGRICULTURE (AG)

PROPOSED ZONING: SF-43

MAX LOT COVERAGE: 35%

MAX HEIGHT: 35’

MIN. FRONT YARD SETBACK: 50’

MIN. SIDE YARD SETBACK: 15’

MIN. SIDE YARD SETBACK (ADJACENT TO STREET): 30’

MIN. REAR YARD SETBACK: 25’

PLANNER / ENGINEER
KFM ENGINEERING AND DESIGN, LLC.
3501 OLYMPUS BLVD. SUITE 100
DALLAS, TX 75019
CONTACT (ENGINEER): MITCH HESSE, P.E.
PHONE (ENGINEER): (469) 899-0536
EMAIL (ENGINEER): MHESSE@KFM-LLC.COM
CONTACT (PLANNER): MICHELLE SLATTERY, PLA
PHONE (PLANNER): (512) 628-8281
EMAIL (PLANNER): MSLATTERY@KFM-LLC.COM

DEVELOPER
TOLL BROTHERS
2555 SW Grapevine Parkway
Grapevine, TX 76051
CONTACT: Mike Boswell
PHONE: (817) 329-7973
EMAIL: MBOSWELL@TOLLBROTHERS.COM

OWNER
BC Golf II Limited
947 W Ralph Hall Parkway Ste. 103
Rockwall, TX 75032-6687

SURVEYOR
CHISOLM TRAIL LAND SURVEYING
1700 THORNDALE COURT
CORINTH, TX 76210
CONTACT: JOSE GARCIA
PHONE: (214) 531-8294

PROJECT ENGINEER

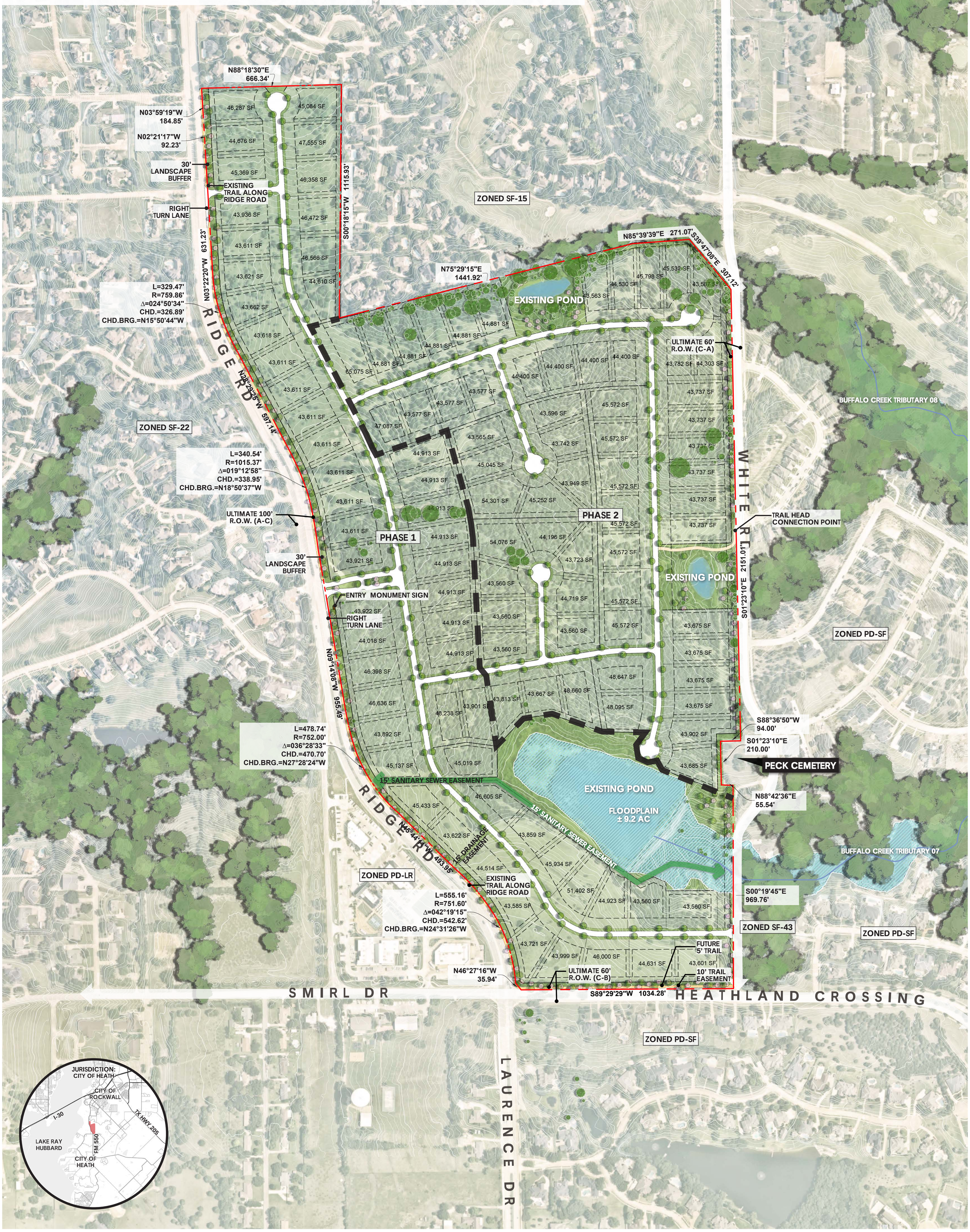
PROJECT PLANNER

*NOTE:
1. ALL PROPOSED LANDSCAPING SHALL BE SELECTED FROM TEXAS SMARTSCAPE DATABASE.

PHASING CHART

PHASE 1
- ± 83.12 ACRES
- ± 56 LOTS (1 ACRE)
- MINIMUM DWELLING UNIT SIZE OF 3,200 SF
- PHASE 1 MAJOR CAPITAL IMPROVEMENTS INSTALLED BY (TENTATIVE) DECEMBER 2025

PHASE 2
- ± 75.08 ACRES
- ± 59 LOTS (1 ACRE)
- MINIMUM DWELLING UNIT SIZE OF 3,200 SF
- PHASE 2 MAJOR CAPITAL IMPROVEMENTS INSTALLED BY (TENTATIVE) DECEMBER 2028



Conceptual Layout

PERRY TRACT - TOLL BROTHERS

THE INFORMATION SHOWN IS BASED ON THE BEST INFORMATION AVAILABLE AND IS SUBJECT TO CHANGE WITHOUT NOTICE

0 100 200 400
Scale: 1”=200’

06/19/24

FilePath:K:\Projects\010217\001\planning\20240318_Concept04\indd\HeathlandCrossingConceptualSitePlan-OneAcreLots

ZA-2024-03 Heathland Crossing Perry SF43

ORDINANCE COMPLIANCE MATRIX: (SF-43) Single Family Residential District		
Deficiencies in RED must be addressed in writing or with revisions before the public meeting.		
Ordinance Requirement	**§ 159.21 (SF-43) Regulations**	**Application COMPLIANCE**
1. Min Residential Lot Area	1.0 acre developable; 43,560 SF	1.0 acre developable; 43,560 SF
2. Maximum # Main Dwellings	one	one
3. Minimum SF/Dwelling	3,200 SF	3,200 SF
4. Minimum Lot width	100 feet	100 feet
5. Mimum Lot Depth	175 feet	175 feet
6. Minimum Front Setback	50 feet	50 feet
7. Minimum Rear Setback	25 feet	25 feet
8. Minimum Side Setback	a. Internal Lot: 15 feet b. Abutting street: 30 feet	Internal Lot: 15 feet Abutting street: 30 feet
9. Minimum Driveway Length	50 feet	50 feet
10. Maximum Building Height	35 feet	35 feet
11. Maximum Building Coverage	35%	35%
12. Permitted encroachment into required setbacks	Not allowed	Not allowed
15. Garage Orientation	No front facing @ 50' BL; J-swing or side entry. Front facing setback 75'	No front facing @ 50' BL; J-swing or side entry. Front facing setback 75'
16. Fencing	Conform to Chapter 157: Fences	Conform to Chapter 157: Fences
17. Neighborhood Signage	Entry features require ARB approval	Entry features require ARB approval

City of Heath, Texas
Development Review Committee Comments: July 16, 2024
Heathland Crossing SF-43 Zoning Change (ZA-2024-03)

Applicant: Jim Knight, KFM, jim@kfm-llc.com, mhesse@kfm-llc.com, (940)768-9371

Owner: BC Golf II Ltd, 947 W Ralph Hall Pkwy, Rockwall, TX 75032

The City of Heath received an application for the above-referenced zoning change on **June 19, 2024.**

The Staff Development Review Committee (DRC) has reviewed the application and provided the following comments.

Legend:
(I) Comment is provided for informational purposes only.
(R) Comment requires a response and/or revision to the submitted plans or documents.

Contact Information for DRC Members:

AA: Aaron Adel, Director of Planning, aadel@heathtx.com (972) 961-4875
BP: Brandon Peterson, Fire Marshall, bpeterson@heathtx.com (972) 961-4954
KL: Kevin Lasher, Assistant City Manager, klasher@heathtx.com (972) 961-3066.
LP: Leisa Price, Building Official, lprice@heathtx.com (972) 961-4880.
BC: Bryan Creek, Public Works Director, bcreed@heathtx.com (972)961-4870
MS: Mike Shook, CIP Manager, mshook@heathtx.com (972) 961-4885.
RD: Richard Dormier, City Engineer, richard@fmi-dallas.com (214) 503-0555

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1. **(I)** Staff Case Manager: Aaron Adel

2. **(I)** This Planned Development will be reviewed by the Planning and Zoning Commission and City Council on the following schedule. **The owner/applicant and/or their representative should attend the following meetings:**

   Planning and Zoning Commission meeting: August 6, 2024 @ 6:30pm

   City Council meeting: August 27, 2024 @ 6:30pm

1. **(I) ITEM TITLE: Case No. ZA-2024-03:** Consider and [make a recommendation/act] on an application for zoning change from (A) Agricultural District to (SF-43) Single Family Residential District on 158.228 acres* (See comment 2 below) of land located at the northeast corner of FM 740/Ridge Road and Heathland Crossing, further described as Abstract 207 E Teal Survey, Lot 55, City of Heath, Rockwall County, Texas. Rockwall CAD ID 12706.

2. **(R)** There is a discrepancy between the legal description submitted with the application (158.228 acres) and Rockwall CAD records (158.613 acres). Confirm the correct land area.

3. **(I) CURRENT ZONING:** (A) Agricultural District City of Heath 159.20 (A) Agricultural District

4. **(I) REQUESTED ZONING AMENDMENT:** The application requests (SF-43) Single Family Residential District zoning City of Heath 159.21 (SF-43) Single Family Residential District

5. **(I) BACKGROUND:**

   a. Two previous applications were submitted for the subject property (Case No. ZA-2024-01). One application was for PD-SF22 zoning. This application was denied with prejudice by the Planning and Zoning Commission and will be considered by the City Council on July 23, 2024. The other application was for PD-SF43 zoning. The PD-SF43 application was tabled by the Planning and Zoning Commission to the meeting on August 6, 2024.

   b. Following the zoning change, a preliminary and final plat will be required to create this subdivision.

   c. In accordance with the Tree Preservation Ordinance in § 158.35 – 158.48, a treescape plan and mitigation will be required with the preliminary plat of this subdivision.

   d. The site is served by city water and city sewer. **RD**

   e. Note: The subject property is obligated to provide detention for the commercial property across FM 740. **RD**

   f. The application includes the following Exhibits:

      - Exhibit ___: Zoning Exhibit; Legal Description

6. **(I) PUBLIC NOTIFICATION:** Notice of Public Hearing will be] published in the Dallas Morning news, on the city's website, and mailed to neighbors within 500' **by July 25, 2024**.

7. **(I) FINANCIAL IMPACT:** In accordance with Appendix I, Parkland Dedication and Park Development Fees (Ordinance No. 180327B), the following fees will be required before filing a final plat at the courthouse.

Fee-In-Lieu of Land Dedication:	$2,246.94 per Dwelling Unit
Park Development Fee:	$1,293.19 per Dwelling Unit
Park Fees:	**$3,540.13 per Dwelling Unit**
Total Park Fees for 115 Dwelling Units:	**$407,114.95**

8. **(I) LEGAL IMPACT:** Zoning decisions are discretionary and must conform to the Comprehensive Plan.

9. **(I) COMPREHENSIVE PLAN IMPACT:** The Future Land Use Plan designates the subject site as Rural Estates land use. SF-43 conforms to this designation.

10. **(R) COMPLIANCE SUMMARY:** See the attached Ordinance Compliance Matrix.

EXHIBIT _____

GENERAL NOTES

1. Bearing based on Texas State Plane Coordinates, North Central Zone, 4202, NAD83-US Survey feet, derived from GPS observations.

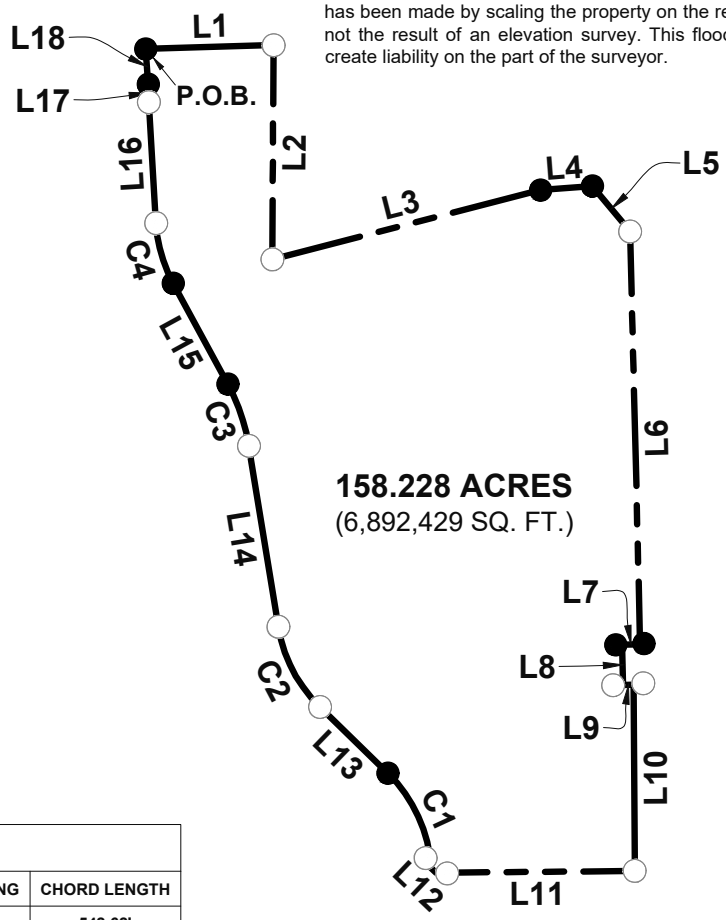
2. All "CIRS" are 1/2-inch iron rod with plastic cap stamped "RPLS 6677" unless otherwise noted.

FLOOD STATEMENT

This site is situated in Shaded Zone "A" and Non-Shaded Zone "X", in the City of Heath, Rockwall County, Texas according to FEMA map number 48397C0105L, dated September 26, 2008. Warning: This statement does not imply that the property and/or the structures thereon will be free from flooding or flood damage. This determination has been made by scaling the property on the referenced map and is not the result of an elevation survey. This flood statement shall not create liability on the part of the surveyor.

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N88°18'30"E	666.34'
L2	S00°18'15"W	1115.93'
L3	N75°29'15"E	1441.92'
L4	N85°39'39"E	271.07'
L5	S39°47'08"E	307.12'
L6	S01°23'10"E	2151.01'
L7	S88°36'50"W	94.00'
L8	S01°23'10"E	210.00'
L9	N88°42'36"E	55.54'
L10	S00°19'45"E	969.76'
L11	S89°29'29"W	1034.28'
L12	N46°27'16"W	35.94'
L13	N45°44'11"W	493.95'
L14	N09°14'08"W	955.49'
L15	N28°29'25"W	597.14'
L16	N03°22'20"W	631.23'
L17	N02°21'17"W	92.23'
L18	N03°59'19"W	184.85'

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	555.16'	751.60'	42°19'15"	N24°31'26"W	542.62'
C2	478.74'	752.00'	36°28'33"	N27°28'24"W	470.70'
C3	340.54'	1015.37'	19°12'58"	N18°50'37"W	338.95'
C4	329.47'	759.86'	24°50'34"	N15°50'44"W	326.89'



GRAPHIC SCALE

0' 1000' 2000'

1" = 1000'

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

LEGEND / ABBREVIATIONS

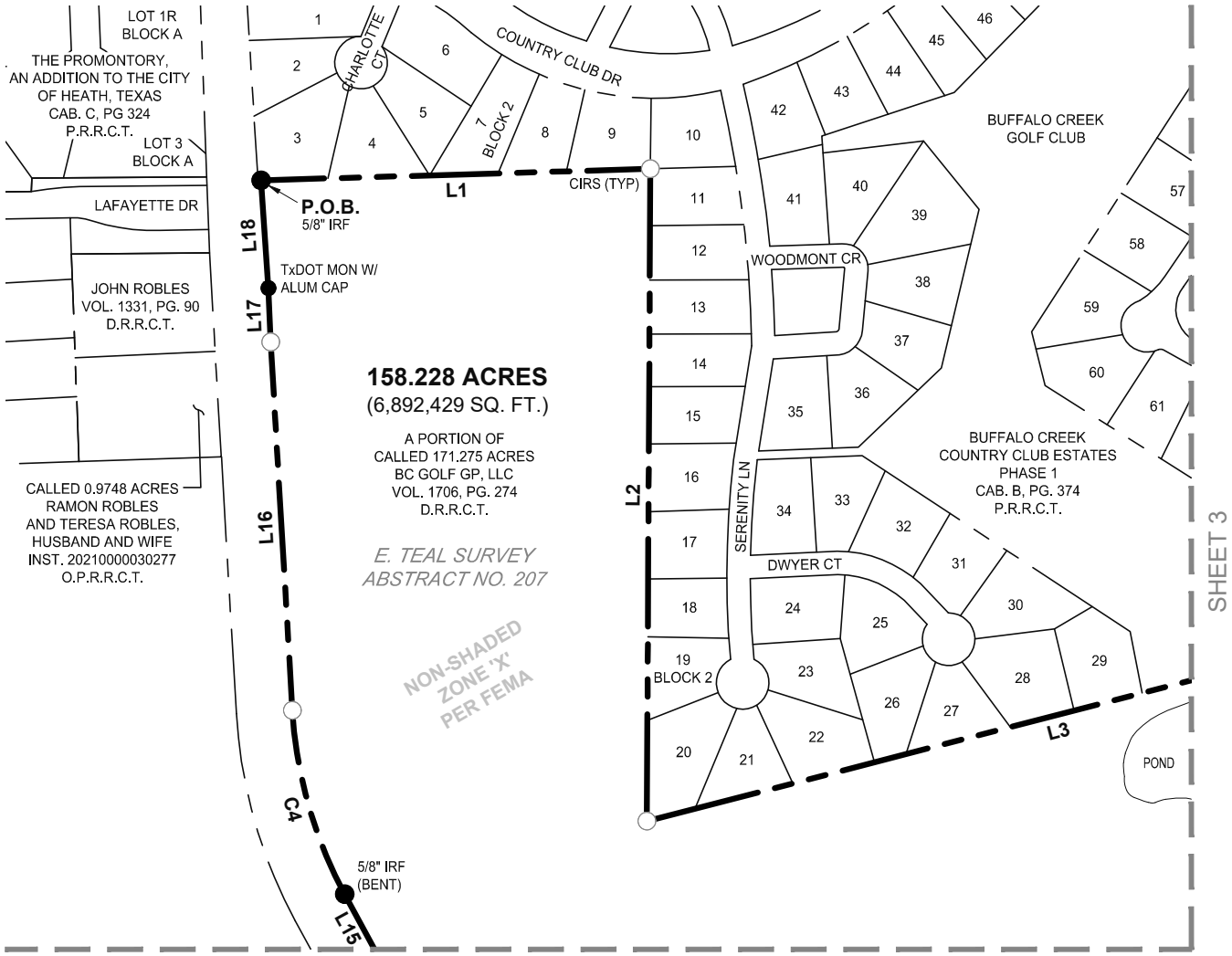
	BOUNDARY LINE
●	IRON ROD FOUND
○	CAPPED IRON ROD SET
POB	POINT OF BEGINNING

CHISHOLM TRAIL LAND SURVEYING
TX FIRM #10194767
MICHAEL R. KERSTEN, RPLS 6677
INFO@CTLS-LLC.COM
940.367.7188

KFM ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=1000'	DATE: 05/13/2024	SHEET: 1 OF 9

EXHIBIT _____



LEGEND / ABBREVIATIONS

	ADJOINER LINE
	BOUNDARY LINE
	FEMA FLOOD LINE
	IRON ROD FOUND
	CAPPED IRON ROD SET
O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	CAPPED IRON ROD SET
POB	POINT OF BEGINNING

GRAPHIC SCALE

0' 300' 600'

1" = 300'

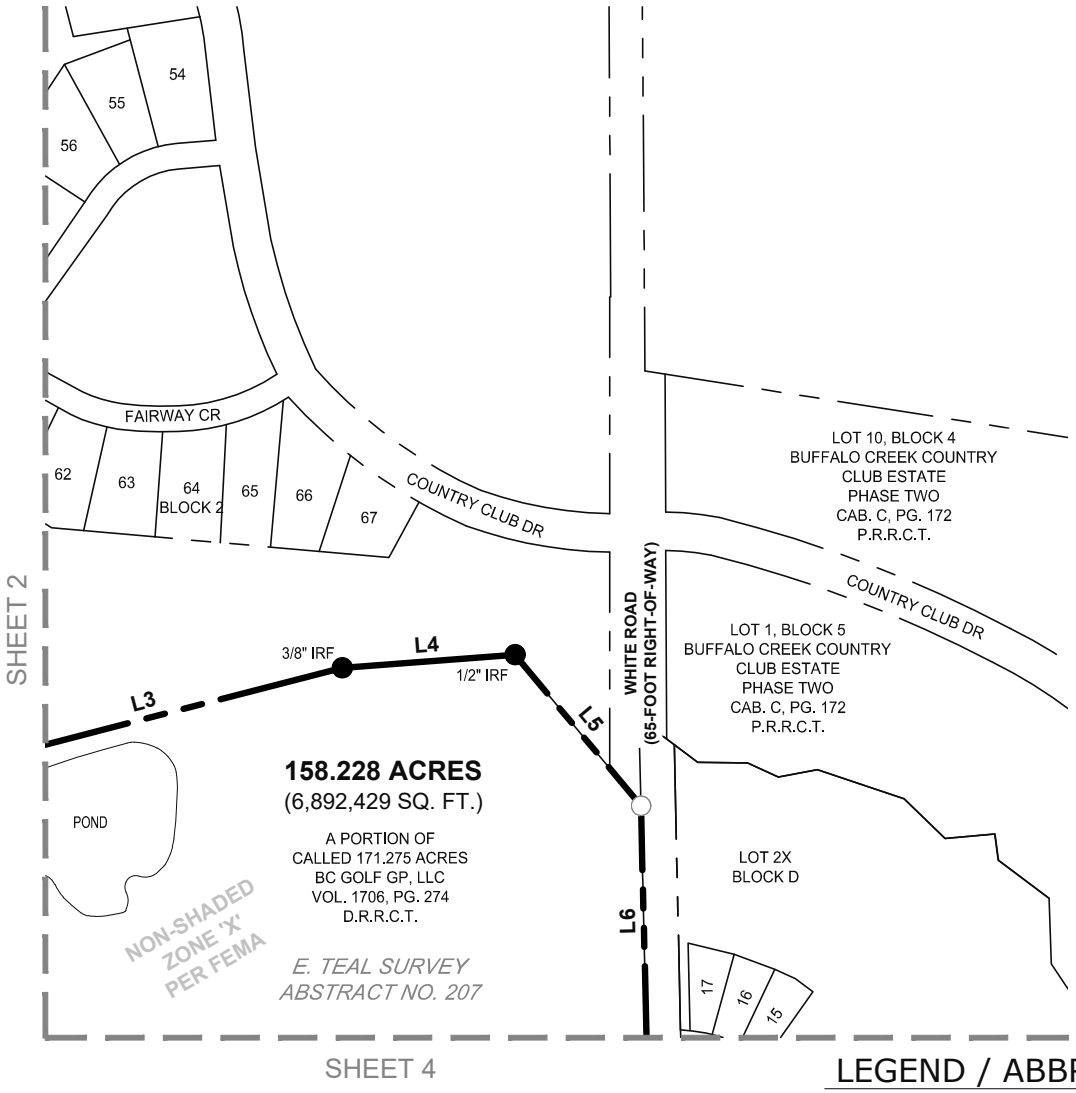
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PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 2 OF 9

EXHIBIT _____



LEGEND / ABBREVIATIONS

	ADJOINER LINE
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ROCKWALL COUNTY, TEXAS

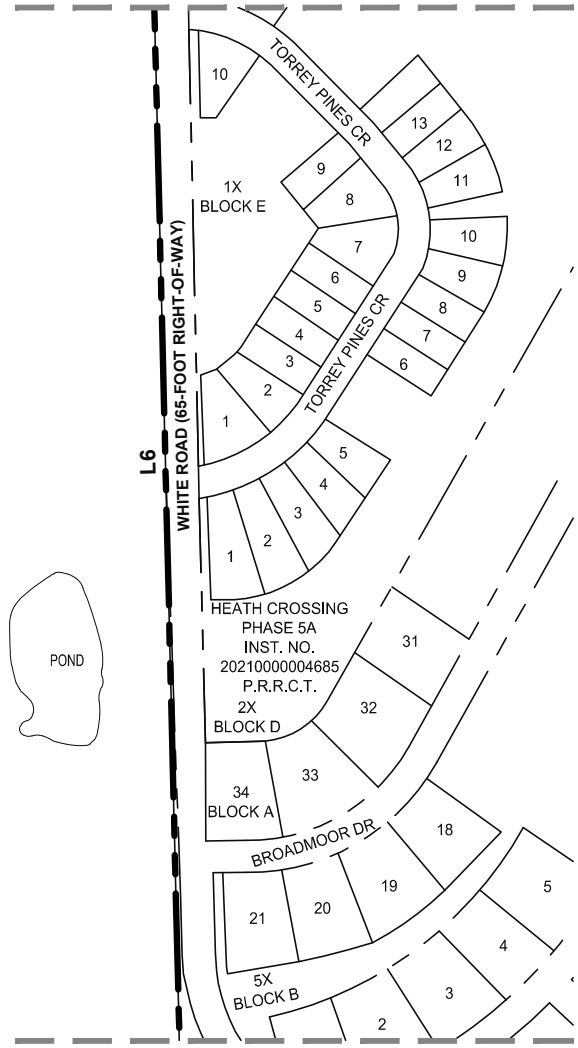
CHISHOLM TRAIL
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MICHAEL R. KERSTEN, RPLS 6677
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3501 OLYMPUS BLVD, SUITE 100
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TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 3 OF 9

EXHIBIT _____

SHEET 3



NON-SHADED ZONE 'X' PER FEMA

158.228 ACRES
(6,892,429 SQ. FT.)

A PORTION OF
CALLED 171.275 ACRES
BC GOLF GP, LLC
VOL. 1706, PG. 274
D.R.R.C.T.

E. TEAL SURVEY
ABSTRACT NO. 207

POND

SHEET 5

GRAPHIC SCALE

0' 300' 600'

1" = 300'

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

LEGEND / ABBREVIATIONS

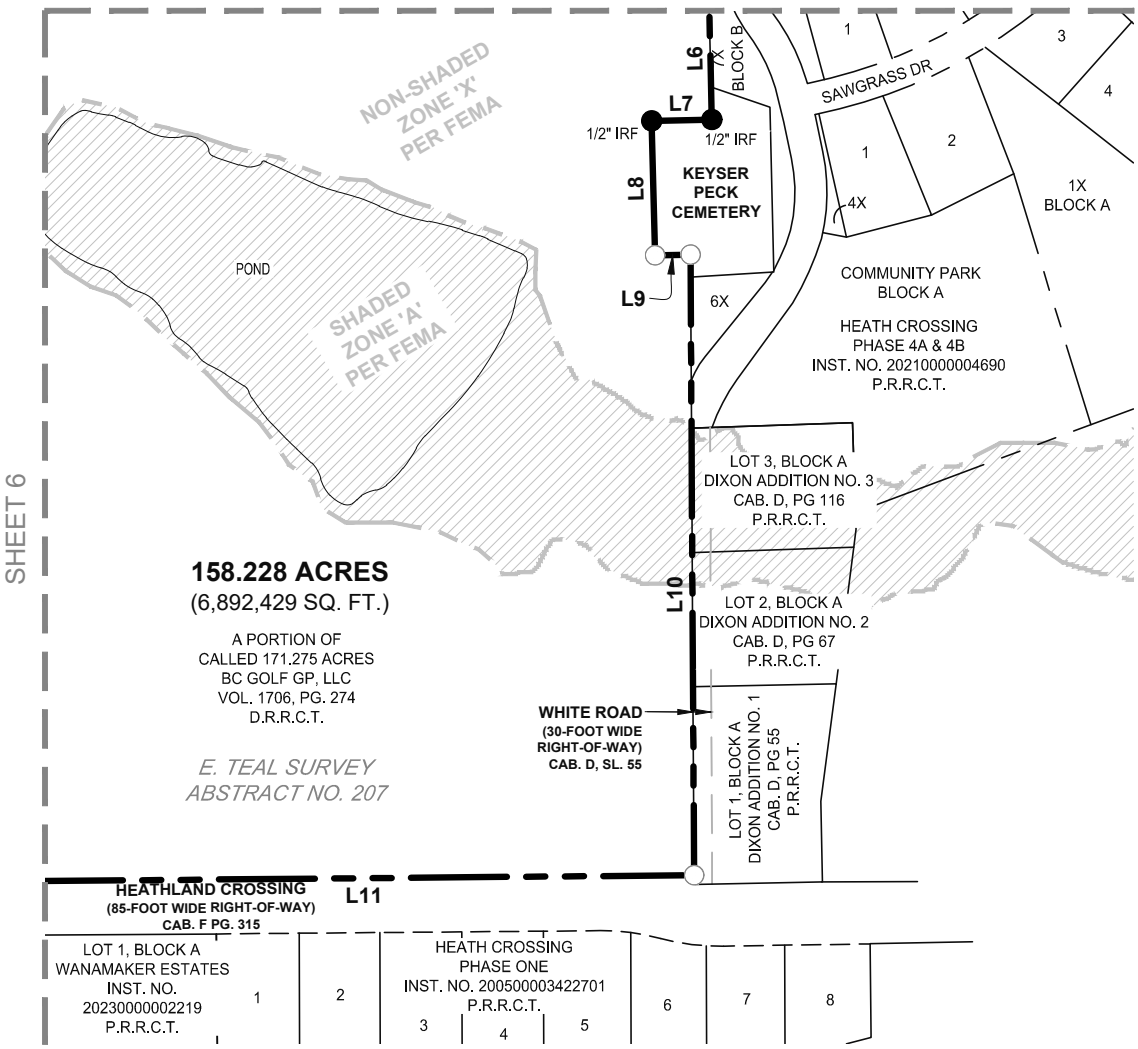
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O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
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PHONE: (469) 899-0536
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TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 4 OF 9

EXHIBIT _____



LEGEND / ABBREVIATIONS

	ADJOINER LINE
	BOUNDARY LINE
	FEMA FLOOD LINE
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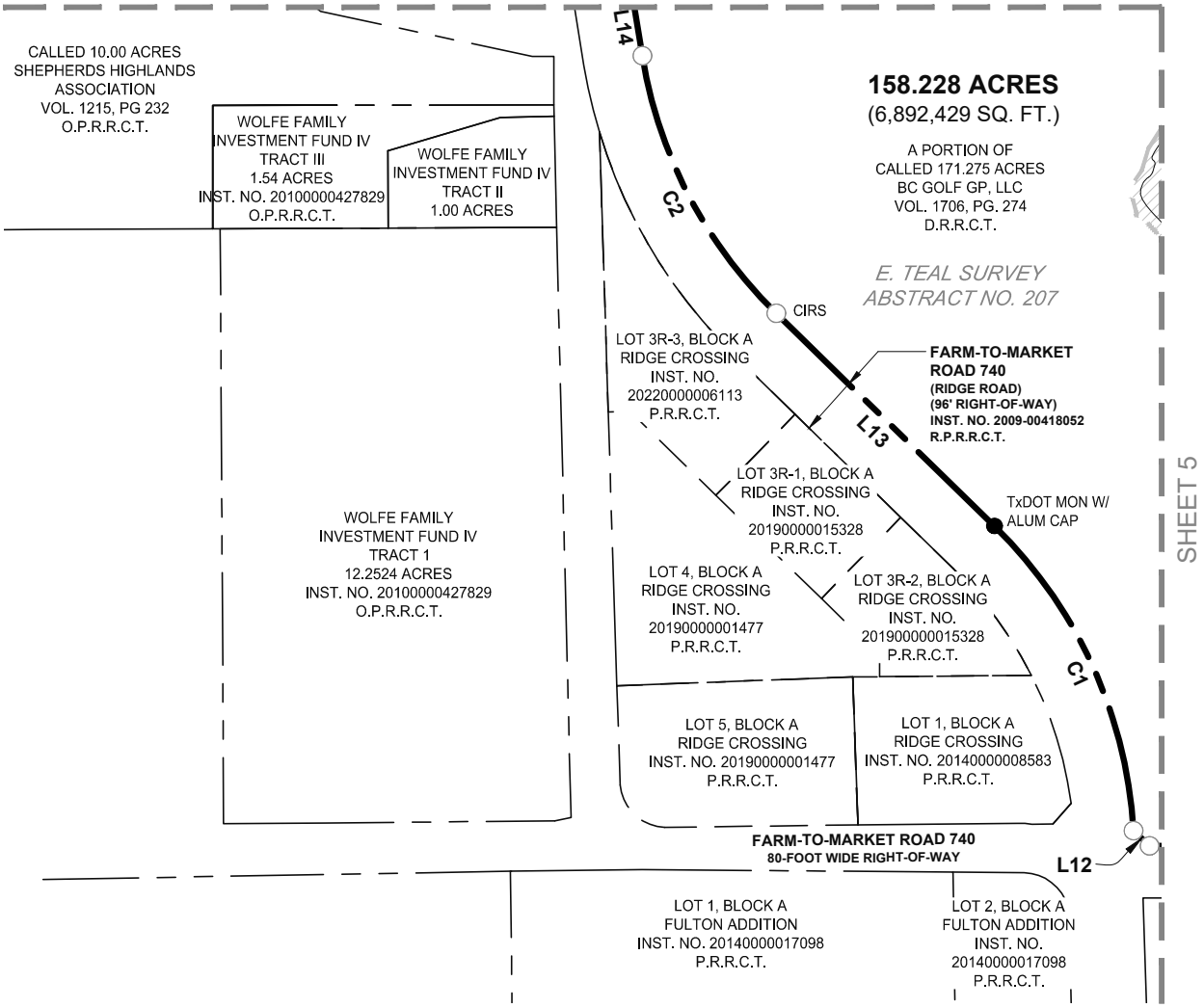
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TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 5 OF 9

EXHIBIT _____



LEGEND / ABBREVIATIONS

	ADJOINER LINE
	BOUNDARY LINE
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	CAPPED IRON ROD SET
O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	CAPPED IRON ROD SET
POB	POINT OF BEGINNING

GRAPHIC SCALE

0' 300' 600'

1" = 300'

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

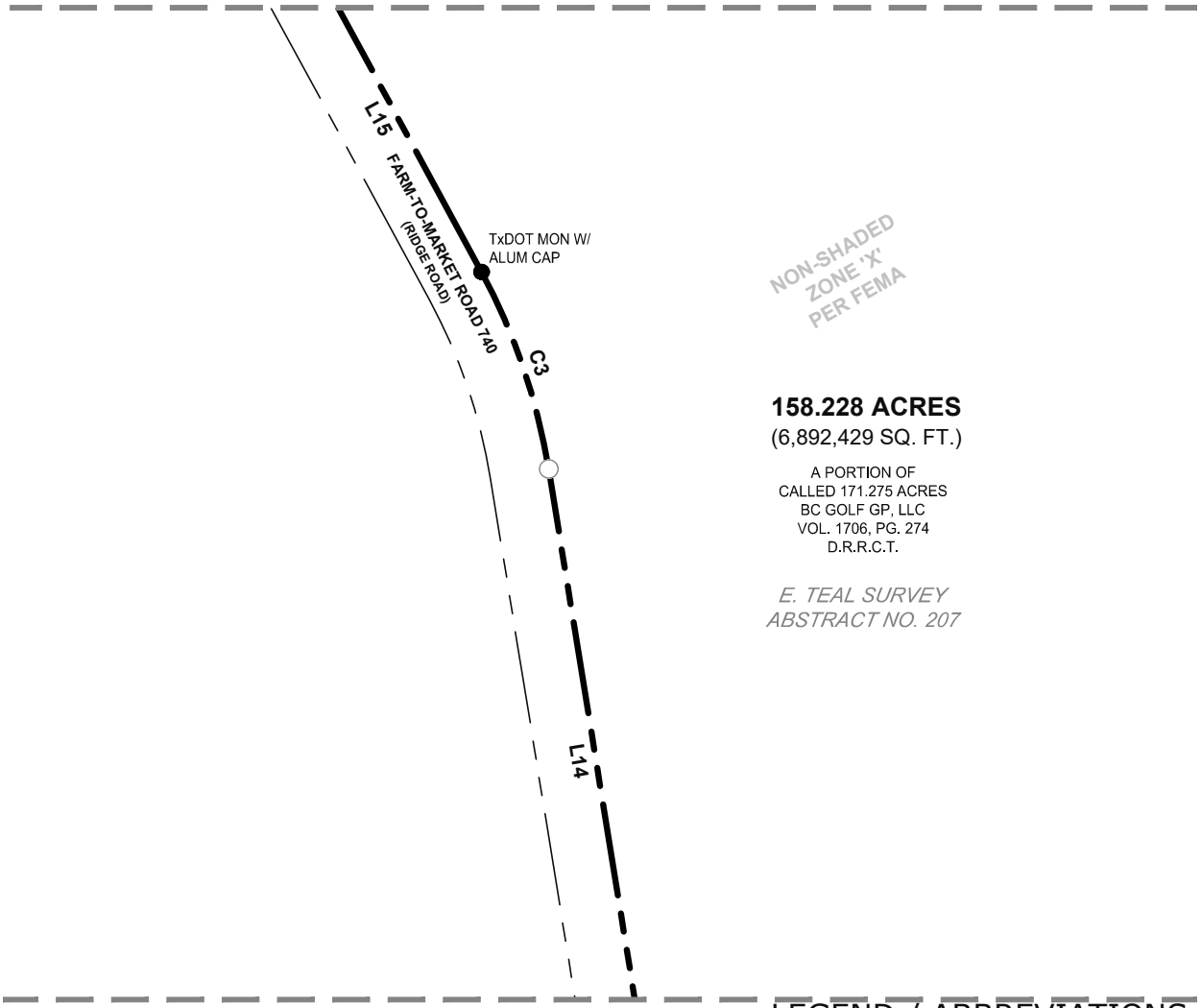
CHISHOLM TRAIL
LAND SURVEYING
TX FIRM #10194767
MICHAEL R. KERSTEN, RPLS 6677
INFO@CTLS-LLC.COM
940.367.7188

KFM
ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 6 OF 9

EXHIBIT _____

SHEET 2



158.228 ACRES
(6,892,429 SQ. FT.)

A PORTION OF
CALLED 171.275 ACRES
BC GOLF GP, LLC
VOL. 1706, PG. 274
D.R.R.C.T.

E. TEAL SURVEY
ABSTRACT NO. 207

SHEET 6

GRAPHIC SCALE

0' 300' 600'

1" = 300'

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

LEGEND / ABBREVIATIONS

	ADJOINER LINE
	BOUNDARY LINE
	FEMA FLOOD LINE
●	IRON ROD FOUND
○	CAPPED IRON ROD SET
O.P.R.R.C.T.	OFFICIAL PUBLIC RECORDS, ROCKWALL COUNTY, TEXAS
D.R.R.C.T.	DEED RECORDS, ROCKWALL COUNTY, TEXAS
P.R.R.C.T.	PLAT RECORDS, ROCKWALL COUNTY, TEXAS
IRF	IRON ROD FOUND
CIRF	CAPPED IRON ROD FOUND
CIRS	CAPPED IRON ROD SET
POB	POINT OF BEGINNING

CHISHOLM TRAIL
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TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: 1"=300'	DATE: 05/13/2024	SHEET: 7 OF 9

EXHIBIT _____

LEGAL DESCRIPTION
158.228 ACRES

Being all that certain tract or parcel of land lying and being situated in the E. Teal Survey, Abstract Number 207, City of Heath, Rockwall County, Texas, and being a part of a called 171.275 acres, described in a deed to BC Golf GP, LLC, recorded in Volume 1706, Page 274, Deed Records, Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8 inch iron rod found for the northwest corner of the herein described tract and being on the east right-of-way line of F.M. Road 740;

THENCE North 88° 18' 30" East with a north line of said BC Golf tract, a distance of 666.34 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for the northern most northeast corner of said BC Golf tract;

THENCE South 00° 18' 15" West with an east line of said BC Golf tract, a distance of 1115.93 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for an inner ell corner of said BC Golf tract;

THENCE North 75° 29' 15" East with a north line of said BC Golf tract, a distance of 1441.92 feet to a 3/8 inch iron rod found for angle point;

THENCE North 85° 39' 39" East continuing with a north line of said BC Golf tract, a distance of 271.07 feet to a 1/2 inch iron rod found for angle point;

THENCE South 39° 47' 08" East continuing with a north line of said BC Golf tract, a distance of 307.12 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for the eastern most northeast corner of said BC Golf tract;

THENCE South 01° 23' 10" East with an east line of said BC Golf tract, a distance of 2151.01 feet to a 1/2 inch iron rod found for corner on the north line of Keyser Peck Cemetery;

THENCE South 88° 36' 50" West with a south line of said BC Golf tract and the north line of said Keyser Peck Cemetery, a distance of 94.00 feet to a 1/2 inch iron rod found for the inner ell corner of said BC Golf tract and the northwest corner of said Keyser Peck Cemetery;

THENCE South 01° 23' 10" East with a east line of said BC Golf tract and a west line of said Keyser Peck Cemetery, a distance of 210.00 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for an inner ell corner of said BC Golf tract and the southwest corner of said Keyser Peck Cemetery;

THENCE North 88° 42' 36" East with a north line of said BC Golf tract and the south line of said Keyser Peck Cemetery, a distance of 55.54 feet to a 1/2 inch iron rod found;

THENCE South 00° 19' 45" East with a east line of said BC Golf tract, a distance of 969.76 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner on the north right-of-way line of Heathland Crossing

THENCE South 89° 29' 29" West with the north line of Heathland Crossing, a distance of 1034.28 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" at the intersection of the north line of Heathland Crossing and the east line of F.M. Road 740;

THENCE North 46° 27' 16" West with the east line of F.M. Road 740, a distance of 35.94 feet to the beginning of a non-tangential curve to the left;

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

CHISHOLM TRAIL
LAND SURVEYING
TX FIRM #10194767
MICHAEL R. KERSTEN, RPLS 6677
INFO@CTLS-LLC.COM
940.367.7188

KFM
ENGINEERING & DESIGN
3501 OLYMPUS BLVD, SUITE 100
DALLAS, TEXAS 75019
PHONE: (469) 899-0536
WWW.KFM-LLC.COM
TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: N/A	DATE: 05/13/2024	SHEET: 8 OF 9

EXHIBIT _____

LEGAL DESCRIPTION (CONTINUED)
158.228 ACRES

THENCE with the east line of F.M. Road 740 and said curve to the left, having a radius of 751.60 feet, a central angle of 42° 19' 15", an arc length of 555.16 feet, a chord that bears North 24° 31' 26" West, a distance of 542.62 feet to an aluminum disk found for corner

THENCE North 45° 44' 11" West with the east line of F.M. Road 740, a distance of 493.95 feet to the beginning of a non-tangential curve to the right at a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE with the east line of F.M. Road 740 and said curve to the right, having a radius of 752.00 feet, a central angle of 36° 28' 33", an arc length of 478.74 feet, a chord that bears North 27° 28' 24" West, a distance of 470.70 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE North 09° 14' 08" West with the east line of F.M. Road 740, a distance of 955.49 feet to the beginning of a curve to the left at a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE with the east line of F.M. Road 740 and said curve to the left, having a radius of 1015.37 feet, a central angle of 19° 12' 58", an arc length 340.54 feet, a chord that bears North 18° 50' 37" West, a distance of 338.95 feet to a point at the end of said curve;

THENCE North 28° 29' 25" West with the east line of F.M. Road 740, a distance of 597.14 feet to the beginning of a non-tangential curve to the right at a 5/8 inch iron rod found "bent" for corner;

THENCE with the east line of F.M. Road 740 and said curve to the right, having a radius of 759.86 feet, a central angle of 24° 50' 34", an arc length 329.47 feet, a chord that bears North 15° 50' 44" West, a distance of 326.89 feet to a point at the end of said curve to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE North 03° 22' 20" West with the east line of F.M. Road 740, a distance of 631.23 feet to a 1/2 inch iron rod set with plastic cap stamped "RPLS 6677" for corner;

THENCE North 02° 21' 17" West with the east line of F.M. Road 740, a distance of 92.23 feet to an aluminum disk found for corner;

THENCE North 03° 59' 19" West with the east line of F.M. Road 740, a distance of 184.85 feet to the POINT OF BEGINNING and enclosing 158.228 acres (6,892,429 square feet) of land, more or less.

SURVEYOR CERTIFICATION

I, Michael R. Kersten, certify that this map or plat was completed and prepared under my direct supervision. The fieldwork was completed on October 30th, 2023.

Date of Plat or Map: May 13th, 2024.

PRELIMINARY
FOR REVIEW PURPOSES ONLY

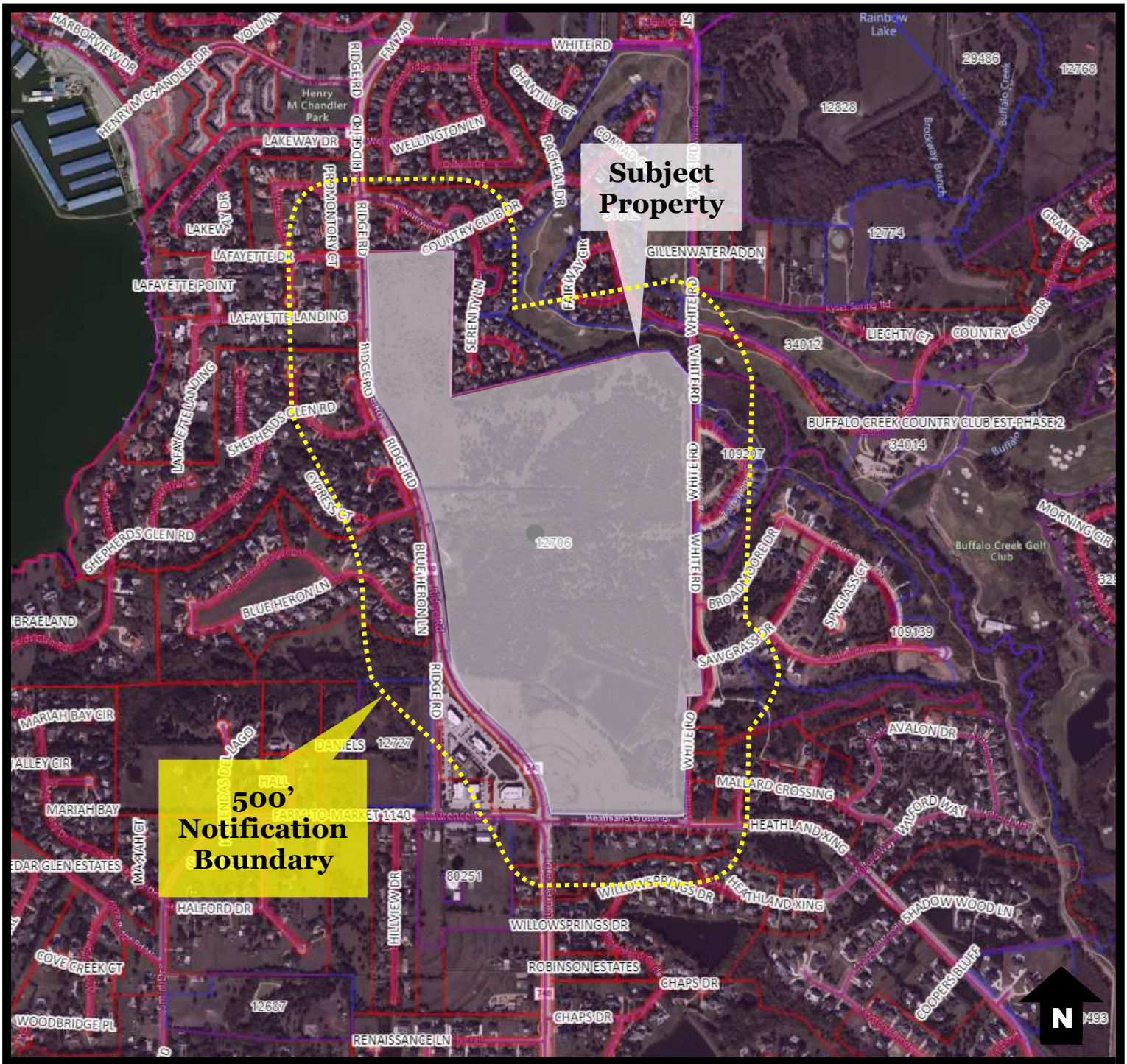
Michael R. Kersten
Registered Professional Land Surveyor
Texas Registration No. 6677

ZONING EXHIBIT
158.228 ACRES
IN THE E. TEAL SURVEY
ABSTRACT NO. 207
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

CHISHOLM TRAIL
LAND SURVEYING
TX FIRM #10194767
MICHAEL R. KERSTEN, RPLS 6677
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TBPE #: F-20821

PROJECT NO. 23-0063	DRAWN BY: AA	SCALE: N/A	DATE: 05/13/2024	SHEET: 9 OF 9



VICINITY MAP

(Not to scale)

Case No. ZA-2024-03: Conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to (SF-43) Single Family Residential District on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road, and further described as Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

NOTE: This is a new application. Notice was provided for a previous zoning change application (ZA-2024-01) proposing a Planned Development on the same property, including two concept plans: Alternative #1 Half-Acre Lot Concept (PD-SF22) and Alternative #2 One-Acre Lot Concept (PD-SF43). The City Council denied Alternative #1 on July 23, 2024. The Alternative #2 concept is still under consideration by the Planning and Zoning Commission.

Contact: Aaron Adel, Assistant City Manager, aadel@heathtx.com (972)961-4875

22046

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, August 6, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, August 27, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

At such time, the Planning and Zoning Commission and City Council will conduct a Public Hearing and act on an Ordinance changing the zoning designation from (A) Agricultural District to (SF-43) Single Family Residential District on 158.613 acres of property located at the northeast corner of the intersection of FM 740/Ridge Road and Heathland Crossing adjacent to White Road. **(Case No. ZA-2024-03)**

***NOTE:* This is a new application.** Notice was provided for a previous zoning change application (ZA-2024-01) proposing a Planned Development on the same property, including two concept plans: Alternative #1 Half-Acre Lot Concept (PD-SF22) and Alternative #2 One-Acre Lot Concept (PD-SF43). The City Council denied Alternative #1 on July 23, 2024. The Alternative #2 concept is still under consideration by the Planning and Zoning Commission.

PROPERTY DESCRIPTION: Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend and participate in the public hearing.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

Check one: ☒ **I am in favor of the request.*** ☐ **I am opposed to the request.**

with a disclaimer!!

Reasons: *(Attach a separate sheet as needed.)*

We're only in favor of the request, if the City determines and implements a plan to fix our water issues. Development should cease until we can support more homes.

Signature: [signature]

Name (printed): Lisa Tune

Address: 5 Stillwaters Dr

Phone/Email Address (optional): LTUNE@swbell.net

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

LISA H & MICHAEL W TUNE JR
STILLWATERS DR
EATH, TX 75032

31106

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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REQUEST FOR PUBLIC INPUT

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***Check one*:** ☑ **I am in favor of the request.** ☐ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

Signature: Toni Marie Fourte & William Charles Fourte

Name (printed): TONI MARIE FOURTE & WILLIAM CHARLES FOURTE

Address: 217 DWYER CT, HEATH, TX 75032

Phone/Email Address (optional): —

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

WILLIAM FOURTE & TONI FOURTE
217 DWYER CT
HEATH, TX 75032

64767

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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***Check one*:** ☒ **I am in favor of the request.** ☐ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

We are in favor, so long as the residential plan aligns to Heath's master plan, all homes are beholden to an HOA that requires an aesthetic in line with Heath's "vibe," that there are appropriate turn lanes int

Signature: Elizabeth Lea Lashley

Name (printed): Elizabeth Lea Lashley

Address: 500 Heathland Xing, Heath 75032

Phone/Email Address (optional): 214 543 8285

the addition that take into account public safety and provide safe line-of-sight for oncoming traffic, and that the city is able to secure the appropriate accommodations to support all new building structures with water + utilities so that it does not negatively impact the community.

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

ELIZABETH LEA LASHLEY
500 HEATHLAND CROSSING
HEATH, TX 75032

47619

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☑ **I am in favor of the request.** ☐ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

I agree to one acre lots with green space or common area, with no direct access (ingress or egress) to Ridge Road. Development must exit to White Road to minimize impact to Ridge Road.

Signature: [signature]

Name (printed): Stephen McClung

Address: 512 Willow Springs Dr, Heath, TX 75032

Phone/Email Address (optional): sm@coolcruisers.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

STEPHEN M & CYNTHIA J MCCLUNG
512 WILLOW SPRINGS DR
HEATH, TX 75032

31094

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend and participate in the public hearing.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☑ **I am in favor of the request.** ☐ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

[redacted] THIS LAND NEEDS TO BE DEVELOPED. IF IT MEETS THE 1 ACRE MINIMUM LOT REQUIRED BY HEATH, THEN WE APPROVE.

Signature: David G. Brooks Cathey L. Brooks

Name (printed): DAVID G. BROOKS CATHEY L. BROOKS

Address: 2332 SERENITY LANE, HEATH, TX 75032

Phone/Email Address (optional): LADYMONBROOKS@att.net

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DAVID G & CATHEY L BROOKS
2332 SERENITY LN
HEATH, TX 75032

31142

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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Concept (PD-SF22) and Alternative #2 One-Acre Lot Concept (PD-SF4
July 23, 2024. The Alternative #2 concept is still under consideration by t

were left untouched with a larger margin, we could be more accepting of a zoning change. A trail connection much like that behind BC clubhouse and homes at Heath Crossing would be better to consider.

PROPERTY DESCRIPTION: Abstract 207, E. Teal Survey, Tract 5
(Rockwall CAD No. 12706)

This notice may also be downloaded from the City of Heath website at ht
notices/. Interested citizens are invited to attend and participate in the pub

REQUEST FOR PUBLIC INPUT

**We value your input as a neighbor of the subject property! To expre
please fill out the following information and return it to the City of Hea**

***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

The #2 One-Acre lots encroach on the creek to a degree that water run-off and wildlife habitats will be damaged at the NE corner of the property. With changes on White Road, we have seen owls, roadrunners, bob cats, coyotes, herons and hawks displaced. If the wooded areas were

Signature: Denise Bennett

Name (printed): Denise Bennett

Address: 244 Country Club Drive

Phone/Email Address (optional): 214-236-5029
dmbtexas@sbcglobal.net

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

2016 T D BENNETT REVOCABLE TRUST
244 COUNTRY CLUB DR
HEATH, TX 75032

64787

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, August 6, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, August 27, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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PROPERTY DESCRIPTION: Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend and participate in the public hearing.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

High in Track Builder with limited floor Plans.

Signature: Dan Trollinger

Name (printed): Dan T Trollinger

Address: 101 Mallard Crossing

Phone/Email Address (optional): danjeanale@yahoo.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DANNY L & JEAN A TROLLINGER
101 MALLARD CROSSING
HEATH, TX 75032

60640

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

We already have a water shortage so adding 158 acres of development will only make that worse. We don't need to buy additional water that will cause our rates to go higher. Plus the traffic is already bad,

Signature: Robert Shipley

Name (printed): Robert Shipley

Address: 605 Willow Springs Dr

Phone/Email Address (optional): 214-384-6376

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

ROBERT & GEORGIA SHIPLEY
605 WILLOW SPRINGS DR
HEATH, TX 75032

45228

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***Check one*:** ☐ **I am in favor of the request.** ☑ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

(1) TRAFFIC (2) Property Values (3) Water (4) Crime

Signature: David C Meyer

Name (printed): DAVID C. MEYER

Address: 116 Blue Heron Ln Heath, Tx 75032

Phone/Email Address (optional): dave.meyer3@icloud.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DAVID C & SHERRI D MEYER
116 BLUE HERON LN
HEATH, TX 75032

31097

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Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

1. All roads around this area are NOT wide enough to meet expanding growth. Traffic congestion
2. Water consumption can not meet growth.

Signature: Vivian C. Moore

Name (printed): Vivian C. Moore

Address: 2344 Serenity Ln.

Phone/Email Address (optional): vcmfnp@hotmail.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

VIVIAN CARO MOORE
2344 SERENITY LN
HEATH, TX 75032

22124

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

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REQUEST FOR PUBLIC INPUT

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***Check one*:** ☐ **I am <u>in favor</u> of the request.** ☒ **I am <u>opposed</u> to the request.**

Reasons: (Attach a separate sheet as needed.)

TRAFFIC !!. To GET ON RidGE Road From Shepherds Glen is A NightMare. It is Even WORSE The Closer in The Neighboods Are. MAYBE More STOP SIGNS OR SIGNAL LIGHTS Would HELP ?.??

Signature: Patricia McDonald

Name (printed): PATRICIA McDONALD

Address: #1 Cypress Ct.

Phone/Email Address (optional): 972-771-5954

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

PATRICIA MCDONALD
1 CYPRESS CT
HEATH, TX 75032

45245

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

Too Much Traffic & Loss of Green Space

Signature: MCMH

Name (printed): Matthew C. Montgomery

Address: 109 Blue Heron Lane

Phone/Email Address (optional): 337-513-3866

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

MATTHEW CROSSLEN MONTGOMERY
109 BLUE HERON LN
HEATH, TX 75032

22097

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***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

SEE ATTACHED

Signature: Robert & Bonnie Doner

Name (printed): BONNIE & ROBERT DONER

Address: 101 SHEPHERDS GLEN RD.

Phone/Email Address (optional): BDONER@AOL.COM
828-788-3214

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

BONNIE DONER
101 SHEPHERDS GLEN RD
HEATH, TX 75032

Robert and Bonnie Doner
101 Shepherds Glen Road
Heath, TX 75032

July 29, 2024

Rockwall and Heath are full of single family residences as it now exists. Heath when we moved here was a quiet and non-congested rural area which is what attracted us to this location. We came from a residence on Turtle Creek Blvd. in Dallas which became full of new construction projects complete with their cement trucks, construction crews, large excavating equipment, etc. It became an unbearable place to live. Traffic now on Ridge road is busy enough without adding more congestion. Pretty soon people would want to widen Ridge Road because of all the additional traffic. Traffic on I-30 at times is almost impossible to manage trying to get to work on time.

The City of Heath can't keep up with enough water for their current residents to water their lawns. Then in the winter we have to conserve on electricity. What is it going to be like with all the new homes that are built and they need to sign on to the water and electricity.

There is plenty of land to build on beyond Tom Thumb that would not be so intrusive. It is nice to come home to a quieter area seeing the cows grazing especially after dealing with all the traffic on I-30 trying to get across the water.

So for these reasons, we are opposed to the rezoning of the before mentioned property.

Robert and Bonnie Donr

31137

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

It is irresponsible to approve new applications for zoning for more residential development when we currently have inadequate water and road infrastructure to handle current resident's needs.

Signature: [signature]
Name (printed): David Phelps
Address: 2328 Fairway Circle, Heath 75032
Phone/Email Address (optional): 214-223-6081

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DAVID GARFIELD PHELPS
2328 FAIRWAY CIR
HEATH, TX 75032

109199

CITY OF HEATH, TEXAS
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Check one: ☐ **I am in favor of the request.** ☑ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

We need to preserve what little nature is left in Heath. I've lived here for 30 years and have watched a lot of the nature be replaced. The open space and nature is what makes Heath special.

Signature: [signature]

Name (printed): Brandon Lu

Address: 550 Torrey Pines Circle

Phone/Email Address (optional):

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

BRANDON LU & CLAIRE LARSEN
550 TORREY PINES CIR
HEATH, TX 75032

31082

CITY OF HEATH, TEXAS
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***Check one*:** ☐ **I am in favor of the request.** ■ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)
Ridge Rd. will not Support additional traffic.
Water-Flow is Not adequate Supply Now.
Lawn Sprinklers may become Illegal !

Signature: [signature]
Name (printed): Edward C. Black
Address: 120 Charlotte Ct. Heath, TX. 75032
Phone/Email Address (optional): eddie0221@aol.com

Please return this form to:
City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

EDWARD C BLACK
120 CHARLOTTE CT
HEATH, TX 75032

22045

CITY OF HEATH, TEXAS
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***NOTE:* This is a new application.** Notice was provided for a previous zoning change application (ZA-2024-01) proposing a Planned Development on the same property, including two concept plans: Alternative #1 Half-Acre Lot Concept (PD-SF22) and Alternative #2 One-Acre Lot Concept (PD-SF43). The City Council denied Alternative #1 on July 23, 2024. The Alternative #2 concept is still under consideration by the Planning and Zoning Commission.

PROPERTY DESCRIPTION: Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

This notice may also be downloaded from the City of Heath website at http://www.heathtx.com/government/public-notices/. Interested citizens are invited to attend and participate in the public hearing.

REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the request.** ☑ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.) I like it like it is now!

Signature: Roger Poore, trustee
Name (printed): Roger Poore
Address: 4 Stillwaters Dr.
Phone/Email Address (optional): poore@sbcglobal.net

Please return this form to
City of Heath
[illegible] Laurence Drive
[illegible]
[illegible] mail to
[illegible]
Heath
[illegible], Texas

POORE FAMILY TRUST
4 STILLWATERS DR
HEATH, TX 75032

109162

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, August 6, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, August 27, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

Heath has a water shortage. There is not enough water for the houses/people who live here already. And there is still tons of new construction continuing. We can't handle more.

Signature: Naomi Lockyer & K

Name (printed): Naomi & Kent Lockyer

Address: 314 Broadmoor Dr. Heath 75032

Phone/Email Address (optional): naomilockyer@mac.com

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

DDUGLAS KENT & NAOMI FABER LOCKYER
314 BROADMOOR DR
HEATH, TX 75032

CITY OF HEATH, TEXAS
Notice of Public Hearing Before the Planning & Zoning Commission
Notice of Public Hearing Before the City Council

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, August 6, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, August 27, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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PROPERTY DESCRIPTION:	Abstract 207, E. Teal Survey, Tract 55, City of Heath, Rockwall County, Texas. **(Rockwall CAD No. 12706)**

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REQUEST FOR PUBLIC INPUT

We value your input as a neighbor of the subject property! To express your opinion about the proposed action, please fill out the following information and return it to the City of Heath as directed below. Thank you!

***Check one*:** ☐ **I am in favor of the request.** ☒ **I am opposed to the request.**

Reasons: (Attach a separate sheet as needed.)

City of Heath is already unable to keep up with growth infrastructure. Specifically, Water delivery, fiber internet, and traffic control are well behind the growth curve.

Signature: Jennifer Gillespie

Name (printed): Jennifer Gillespie

Address: 145 Country Club Dr., Heath TX 75032

Phone/Email Address (optional): _____

Please return this form to:

City of Heath
ATTN: Aaron Adel
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
aadel@heathtx.com

Thank you!
City of Heath, Texas

JENNIFER GILLESPIE
145 COUNTRY CLUB DR
HEATH, TX 75032

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legal

MERCHANDISE

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- Business Fixtures Sewing Machines
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- Wearing Apparel

Garage Sales

4710 Forrest Springs Cove
Garland, TX 75043
July 26 & 27, 7am-2pm
Clothing, House ware and collectable items

PETS & LIVESTOCK

- Birds
- Cats
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- Horses & Mules
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Dogs

ADOPT FOSTER SAVE A LIFE

The 24th Annual Snake Proofing Seminar for dogs on August 10, 2024 For more information, 817-776-1117 or go to www.carringtonkennels.com

WESTIE Pups purebreed, shots & wormed, nonshed/ hypoallergenic $700. Call 214-783-0476

Due to potential misuse/ abuse of pets, *The Dallas Morning News* suggests that advertisers charge a minimal fee for their pets. Every life has a value. Also, due to health risks to the pets, we recommend puppies and kittens are at least 8-12 weeks old before they are sold. Use caution when responding to pet ads that involve unusual payment plans or require long-distance shipping. Find your pet from a trustworthy source. If purchasing from a private party or breeder, ask to see where the pets live to ensure the environment is a clean and healthy one. Reputable breeders will almost always provide detailed genealogical information and a health guarantee. You are encouraged to report suspected inhumane conditions and animal abuse/neglect to the Humane Society and your local authorities.

Dogs



AKC, French Bulldog Puppies. Parents Health testeted Call James 530-953-6841 5 girls & 2 Boys

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Concrete Work, Low rates. Free estimates. Patios, Driveways & more! 972-272-4468 214-674-1166

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Free est; $175 pier & beam
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972-765-0729
469-735-8572, credit cards
dfw-foundationrepair.com

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LEGAL BIDS & NOTICES

- Bankruptcy, Court Sales
- Bids and Proposals
- Legal Notices

Bids & Proposals

PO#1233-9813 / DO#1118664
CITY OF DALLAS ADVERTISEMENT REQUEST FOR COMPETITIVE SEALED PROPOSALS

Competitive Sealed Proposal(s) will be received via the City of Dallas' solicitation website at https://dallascityhall.bonfirehub.com until 1:00 pm on Fridays. All Proposers' company name(s) will be publicly read at 2:00 pm on Fridays in the Express Business Center, RM L2ES at City Hall, and can be viewed on the City of Dallas website at www.dallascityhall.com (see City Meetings). Proposal's titles and dates of public reading are listed below. Proposal Packets may be obtained by downloading from https://dallascityhall.bonfirehub.com.

BHZ24-00025625 - Economic Impact Analysis from High-Speed Rail Projects – Commodity Codes – 93673, 93937, 93600, 93900, 28760 (Bids Due on 08/30/2024, Bid Reading on 08/30/2024)

PO# 1233-9815/DO#1118786
CITY OF DALLAS ADVERTISEMENT REQUEST FOR PROPOSALS

Proposal(s) will be received via the City of Dallas' solicitation website at https://dallascityhall.bonfirehub.com until 1:00 pm on Fridays. All Proposers' company name(s) will be publicly read at 2:00 pm on Fridays in the Express Business Center, RM L2ES at Dallas City Hall, and can be viewed on the City of Dallas website at www.dallascityhall.com (see City Meetings). Proposal's titles and dates of public reading are listed below. Proposal Packets may be obtained by downloading from https://dallascityhall.bonfirehub.com.

BEZ24-00024943 Affordable Care Act – Commodity Code – 92075 (Bids Due on 08/16/2024, Bid Reading on 08/16/2024)

PO#1233-9814 / DO#1118665
CITY OF DALLAS PROCUREMENT ADVERTISEMENT FOR BIDS

Sealed bids will be received electronically via the City of Dallas' solicitation website at https://dallascityhall.bonfirehub.com until 1:00 P.M. on Fridays. All bids will be publicly read at 2:00 P.M on Fridays and can be viewed on the City of Dallas website at www.dallascityhall.com (see City Meetings). Bids titles and dates of public opening are listed below. Bid Packets may be obtained by downloading from https://dallascityhall.bonfirehub.com.

BK24-00025465 - Specifications for Uniform Coat, Cap Badges, Service Pins, Awards, Medals, Bars, Insignia, Shadow Boxes, Wooden Plaques and Metal Plates Dallas Fire-Rescue –Commodity Code – 080 (Bids Due on 08/23/2024, Bid Reading on 08/23/2024)

BY24-00025364 - Turbine Engine Repair Rental - Commodity Code – 03535 (Bids Due on 08/30/2024, Bid Reading on 08/30/2024)

Bids & Proposals

RICHARDSON INDEPENDENT SCHOOL DISTRICT (RISD), 1123 S. Greenville Avenue, Richardson, Texas is soliciting proposals for the following RFP# 24-311 – Cargo Vans for Child Nutrition. Information for all required RFP documents, including but not limited to, Terms & Conditions, detailed Specifications, Technical Requirements, evaluation method/criteria, award process, and method of payment may be obtained through the RISD Department/Purchasing website at: https://web.risd.org/purchasing/advertised-bids/. Bid closes on August 21, 2024 at 3:00 PM CDT. See website for all details of RFP. Each proposal may be submitted using the electronic bid system found at https://risd.bonfirehub.com/portal/?tab=openOpportunities

NOTICE TO BIDDERS

Sabine River Authority of Texas
Iron Bridge Dam Rock Riprap Repair Phase 2

General Notice

Sabine River Authority of Texas (Owner) is requesting Bids for the construction of the following Project:

Iron Bridge Dam Rock Riprap Repair Phase 2
RFB #25-0301

Sealed bids for the construction of the Project will be received at the **Office of the Division Manager** located at Lake Tawakoni Division, Sabine River Authority, 169 RCR 1480, Point, TX 75472, until **Thursday, August 8, 2024 at 2:00 pm** local time. At that time the Bids received will be publicly opened and read.

Bids must be submitted and received no later than the opening date and time specified above. Any Bid received later than the specified time will not be considered and will be returned unopened. The SRA is not responsible for ensuring the delivery of Bids to our offices. Bids shall be sealed and clearly marked, "Request for Bid – IRON BRIDGE DAM ROCK RIPRAP REPAIR PHASE 2 RFB#25-0301".

A **mandatory** Pre-Bid Conference between the SRA, prospective bidders, suppliers, etc. will be held on Tuesday July 30, 2024 at 2:00 pm. at the SRA Division Office, Lake Tawakoni Division, 169 RCR 1480, Point, TX 75472, TX to make certain that the scope of work is fully understood. All interested parties are requested to attend.

The Sabine River Authority reserves the right to adopt the most advantageous interpretation of the bids submitted in the case of ambiguity or lack of clearness in stating proposal prices, to reject any or all bids, and/or waive any formalities.

Contract documents may be obtained by downloading (1) from www.sratx.org under doing business "bid opportunities" or (2) from CIVCAST USA Website. Hard copies of plans will not be made available for purchase.

Questions regarding contract documents may be sent via CIVCAST Website or emailed to purchasing@sratx.org.

Legal Notices

CITY OF ALLEN
PUBLIC NOTICE

Notice is hereby given that the Allen City Council adopted the following Ordinance at its regular meeting held on Tuesday, July 23, 2024.

ORDINANCE NO. 4096-7-24 : AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, BY AMENDING THE REGULATIONS OF TRACT 5 OF PLANNED DEVELOPMENT "PD" NO. 58 FOR SHOPPING CENTER "SC" AS SET FORTH IN SECTION 1 OF ORDINANCE NO. 3199-1-14, AND AMENDED BY ORDINANCE NO. 4009-7-23, BY ADDING TEMPORARY USE AND SPECIAL EVENT REGULATIONS RELATING TO THE DEVELOPMENT AND USE OF THE 12.6 ACRE PARCEL AS DEFINED IN SAID ORDINANCE, AND ALSO IDENTIFIED AS LOT 1, BLOCK A, ALLEN HIGH POINT ADDITION; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

A copy of this Ordinance may be read or purchased in the Office of the City Secretary, City of Allen, 305 Century Parkway, Allen, Texas 75013, or may be viewed at CityofAllen.org.

/s/ Shelley B. George, City Secretary

Notice is hereby given that the Planning and Zoning Commission of the City of Heath, Texas, will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, August 6, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the request and the recommendation of the Planning and Zoning Commission will be considered by the City Council of the City of Heath, Texas, at a meeting that begins at 6:30 p.m. on Tuesday, August 27, 2024, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Please Note: Public Hearings may be tabled from time to time by the review body, which may affect the final action date.

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NOTE: This is a new application. Notice was provided for a previous zoning change application (ZA-2024-01) proposing a Planned Development on the same property, including two concept plans: Alternative #1 Half-Acre Lot Concept (PD-SF22) and Alternative #2 One-Acre Lot Concept (PD-SF43). The City Council denied Alternative #1 on July 23, 2024. The Alternative #2 concept is still under consideration by the Planning and Zoning Commission.

Citizens are invited to attend and participate in these public hearings. Information regarding these hearings may be obtained by calling 972-961-4875 or emailing aadel@heathtx.com.

City of Richardson

ORDINANCE NO. 4502
AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING FROM PD PLANNED DEVELOPMENT TO PD PLANNED DEVELOPMENT BY ADOPTING USE AND DEVELOPMENT REGULATIONS, INCLUDING A CONCEPT PLAN AND BUILDING ELEVATIONS FOR A 13.03-ACRE TRACT OF LAND LOCATED BETWEEN WATERVIEW PARKWAY AND PRESIDENT GEORGE BUSH HIGHWAY, EAST OF FRANKFORD ROAD, RICHARDSON, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 24-08).

ORDINANCE NO. 4503
AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, TO GRANT A CHANGE IN ZONING TO AMEND PD PLANNED DEVELOPMENT ORDINANCE NO. 4049, BY AMENDING SECTION 1. SUBSECTION 2. MAXIMUM NUMBER OF RESIDENTIAL UNITS AND MINIMUM DENSITY; AND BY AMENDING THE REGULATING PLAN – APPENDIX A OF EXHIBIT "B" OF THE CITYLINE EAST PLANNED DEVELOPMENT DISTRICT CODE FOR THE CITYLINE EAST PLANNED DEVELOPMENT DISTRICT FOR 62.5 ACRES LOCATED ON THE EAST SIDE OF PLANO ROAD BETWEEN PRESIDENT GEORGE BUSH TURNPIKE AND CITYLINE DRIVE, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 24-11).

ORDINANCE NO. 4504
AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RICHARDSON, AS HERETOFORE AMENDED, BY GRANTING A CHANGE IN ZONING BY GRANTING A SPECIAL PERMIT FOR AN EVENT CENTER FOR THE PROPERTY LOCATED NORTHEAST OF THE NORTHEAST INTERSECTION OF N. PLANO ROAD AND E. CAMPBELL ROAD, RICHARDSON, TEXAS, ZONED LR-M(2) LOCAL RETAIL, AND BEING FURTHER DESCRIBED IN EXHIBIT "A"; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS ($2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE. (ZONING FILE 24-12).

The City of Richardson
/s/ Aimee Nemer, City Secretary
/s/ Bob Dubey, Mayor

Bids & Proposals

NOTICE TO BIDDERS
INVITATION TO BID NO. 93-24, MCKAMY SPRING PARK WALL REHABILITATION.

The City of Richardson shall accept electronic bids through Periscope S2G at periscopeholdings.com or sealed Bids for Invitation to Bid No. 93-24 McKamy Spring Park Wall Rehabilitation, until August 13, 2024 prior to 2:00 P.M. Central Time. Bids shall be received in the Purchasing Division located at the Richardson City Hall, 2360 Campbell Creek Blvd., Suite 525, Richardson, Texas 75082. Bids shall be opened and read aloud on Tuesday, August 13, 2024 at 3:00 P.M. ONLINE via Webex. Solicitation documents are available to be downloaded at no charge through Periscopeholdings.com. A voluntary pre-bid meeting will be held on Tuesday, July 30, 2024 @ 2:00 P.M. ONLINE via Webex. Nonmaterial changes to the request for bids and any extension of the date for submission of bids and the date for bid opening will be communicated through Periscope S2G at periscopeholdings.com via addendum.

NOTICE TO BIDDERS
INVITATION TO BID NO. 88-24, 2021 BOND ALLEY GROUP 5 (PROVINCETOWN, WILDERNESS TRAIL, ROUNDROCK CIR, PINEHURST DR).

The City of Richardson shall accept electronic bids through Periscope S2G at periscopeholdings.com or sealed Bids for Invitation to Bid No. 88-24 2021 Bond Alley Group 5 (Provincetown, Wilderness Trail, Roundrock Cir, Pinehurst Dr), until August 13, 2024 prior to 2:00 P.M. Central Time. Bids shall be received in the Purchasing Division located at the Richardson City Hall, 2360 Campbell Creek Blvd., Suite 525, Richardson, Texas 75082. Bids shall be opened and read aloud on Tuesday, August 13, 2024 at 3:00 P.M. ONLINE via Webex. Solicitation documents are available to be downloaded at no charge through Periscopeholdings.com. A voluntary pre-bid meeting will be held on Tuesday, July 30, 2024 @ 2:00 P.M. ONLINE via Webex. Nonmaterial changes to the request for bids and any extension of the date for submission of bids and the date for bid opening will be communicated through Periscope S2G at periscopeholdings.com via addendum.

Legal Notices

CITY OF PLANO LEGAL NOTICE

The following Ordinances were passed by the Plano City Council on **July 22, 202**4 (Title and Penalty Clause Only).

ORDINANCE NO. 2024-7-3 - An Ordinance of the City of Plano, Texas, amending Division 4, Drought and Emergency Response Plan, of Article II, Water, of Chapter 21, Utilities, of the City of Plano Code of Ordinances by adding Sections 21-59.7 and 21-60.3; adding pro rata water curtailment requirements in Stage 3 and in any wholesale water contract; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause, and an effective date.

Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

ORDINANCE NO. 2024-7-4 (ZC 2024-010) - An Ordinance of the City of Plano, Texas, amending the Comprehensive Zoning Ordinance of the City, Ordinance No. 2015-5-2, as heretofore amended, increasing the maximum number of children allowed under Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School on 7.5 acres of land out of the Jessie Stiff Survey, Abstract No. 793, located at the southeast corner of Legacy Drive and Ohio Drive in the City of Plano, Collin County, Texas, presently zoned Single-Family Residence-7 with Specific Use Permits No. 550 for Day Care Center and No. 551 for Private School; directing a change accordingly in the official zoning map of the City; and providing a penalty clause, a repealer clause, a savings clause, a severability clause, a publication clause, and an effective date.

Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(a) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

A copy of these ordinances may be read or purchased in the Office of the City Secretary.

CITY OF PLANO LEGAL NOTICE

NOTICE OF PUBLIC HEARING ON THE PROPOSED 2024 O&M ANNUAL SERVICE PLAN UPDATE AND LEVY OF ASSESSMENTS, CITY OF PLANO, TEXAS, DOWNTOWN PLANO PUBLIC IMPROVEMENT DISTRICT (the "District")

DATE, TIME, AND PLACE OF THE PUBLIC HEARING. Notice is hereby given that the Plano City Council will hold a Public Hearing on August 12, 2024, at 7:00 P.M. in the Davis Library Program Room at Davis Library, 7501-B Independence Parkway, Plano, Texas 75025, and via video conference to consider the following ordinance approving the Downtown Plano Public Improvement District 2024 O&M Annual Service Plan Update (the" 2024 O&M Annual Service Plan Update") and the levying of assessments against certain property located within the District.

GENERAL NATURE OF THE IMPROVEMENTS. The general nature of the public improvements proposed to be undertaken and financed by the District for the special benefit of the property within the District (the "Property") is described within the 2024 O&M Annual Service Plan Update and consists of the cost of the Authorized Improvements.

COST OF THE IMPROVEMENTS . The estimated cost of operation and maintenance of the public improvements that are proposed to be assessed against the Property is $126,576.00.

BOUNDARIES OF THE ASSESSMENT DISTRICT. The boundaries of the District include approximately 40.86 contiguous acres located within the corporate limits of the City, whose outer boundary is generally depicted as G Avenue to the West, 13th Street to the South, L Avenue to the East, and 18th Street to the North. The Property is more fully described in the proposed 2024 O&M Annual Service Plan Update. A metes and bounds description and a map of the District, the proposed 2024 O&M Annual Service Plan Update, and the proposed Assessment Roll for the Property are available for public inspection at the office of the City Secretary.

WRITTEN OR ORAL OBJECTIONS . Written or oral objections to the proposed assessments against the Property will be considered at the hearing. All persons wishing to enter testimony during a video conference are invited to participate remotely via broadcast by webinar to voice their opinion (registration is required). A registration link will be listed on the City Council agenda, which will be available on August 7, 2024, after 5:00 p.m. at the following link: https://www.plano.gov/1444/City-Council-Agendas. Total testimony is limited to thirty (30) minutes.

Emails regarding public hearing items may be submitted to councilcomments@plano.gov. The meeting will be live-streamed on Plano's website at www.planotv.org, YouTube.com/cityofplanotexas, and Facebook.com/cityofplanotx for those wanting to watch the meeting but not address the Council.

This Notice of Public Hearing is given and the public hearing is being held pursuant to the requirements of the Act.

ADDISON

TOWN OF ADDISON

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the Town of Addison, Texas (the "Town"), will meet at the Addison Conference Center, 15650 Addison Road, Addison Texas 75001, the meeting place of the City Council, at 7:30 p.m. on the 10th day of September 2024, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the Town's certificates of obligation (the "Certificates"), in the maximum aggregate principal amount not to exceed $10,700,000, payable from the levy of a direct and continuing ad valorem tax against all taxable property within the Town sufficient to pay the interest on the Certificates as due and to provide for the payment of the principal thereof as the same matures, as authorized by Chapter 271, Subchapter C, Texas Local Government Code, as amended, and from all or a part of the surplus revenues of the Town's waterworks and sewer system, such pledge of surplus revenues being limited to $1,000, bearing interest at any rate or rates not to exceed the maximum interest rate authorized by law, as shall be determined within the discretion of the City Council of the Town at the time of issuance of the Certificates, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the Town for all or any part of the costs associated with: (i) designing, engineering, developing, constructing, improving and repairing, extending and expanding streets, thoroughfares and bridges, including streetscaping, related storm drainage improvements, signalization and other traffic controls, sidewalks, street lights and the acquisition of any right of way therefor, (ii) designing, engineering, developing, constructing, improving and repairing Town park facilities and improvements, (iii) designing, engineering, developing, constructing, improving and repairing, extending and expanding Town water and waste water facilities and improvements, (iv) designing, engineering, developing and constructing public safety facilities, including a public safety communications facility and dispatch center, including the acquisition of land therefor (v) designing, engineering, developing, constructing, improving and repairing, extending and expanding Town drainage improvements and facilities, (vi) firefighting vehicles and equipment; (vii) professional services incurred in connection with items (i) – (vii) and to pay the costs incurred in connection with the issuance of the Certificates. The estimated combined principal and interest required to pay the Certificates on time and in full is $15,835,688. Such estimate is provided for illustrative purposes only, and is based on an assumed interest rate of 4.50%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the Town, and the Town cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the Town is $133,570,000 and based on the Town's expectations, as of the date of this notice the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the Town on time and in full is $168,394,760.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE TOWN, this 23rd day of July, 2024.

/s/Valencia Garcia, City Secretary
Town of Addison, Texas

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

NOTICE OF RECEIPT OF APPLICATION AND INTENT TO OBTAIN WATER QUALITY PERMIT

PROPOSED PERMIT NO. WQ0016550001

APPLICATION. HC McKinney 3, LLC and McKinney Ridge, LLC, 8200 Douglas Avenue, Suite 300, Dallas, Texas 75225, have applied to the Texas Commission on Environmental Quality (TCEQ) for proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016550001 (EPA I.D. No. TX0146111) to authorize the discharge of treated wastewater at a volume not to exceed an annual average flow of 1,100,000 gallons per day. The domestic wastewater treatment facility will be located approximately 2,300 feet northeast of the intersection of County Road 165 and Farm-to-Market Road 1461, near the city of McKinney, in Collin County, Texas 75071. The discharge route will be from the plant site to an unnamed tributary, thence to SCS Reservoir 16, thence to an unnamed tributary, thence to Honey Creek, thence to East Fork Trinity River, thence to Lake Lavon. TCEQ received this application on May 28, 2024. The permit application will be available for viewing and copying at McKinney City Hall, 222 North Tennessee Street, McKinney, in Collin County, Texas prior to the date this notice is published in the newspaper. The application, including any updates, and associated notices are available electronically at the following webpage: https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications.
This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For the exact location, refer to the application. https://gisweb.tceq.texas.gov/LocationMapper/?marker=-96.690277,33.263333&level=18

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at: https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications.

El aviso de idioma alternativo en español está disponible en https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications.

ADDITIONAL NOTICE. TCEQ's Executive Director has determined the application is administratively complete and will conduct a technical review of the application. After technical review of the application is complete, the Executive Director may prepare a draft permit and will issue a preliminary decision on the application. **Notice of the Application and Preliminary Decision will be published and mailed to those who are on the county-wide mailing list and to those who are on the mailing list for this application. That notice will contain the deadline for submitting public comments.**

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting on this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. All public comments and requests must be submitted either electronically at https://www14.tceq.texas.gov/epic/eComment/, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at 1-800-687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en Español, puede llamar al 1-800-687-4040.

Further information may also be obtained from HC McKinney 3, LLC and McKinney Ridge, LLC at the address stated above or by calling Mr. Matt Atkins, P.E., TNP, Inc., at 972-833-6872.

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AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared David Ferster, Advertising Representative for *THE DALLAS MORNING NEWS* being duly sworn by oath, states the attached advertisement of: **Ad # 1874273**

CITY OF HEATH

Appeared in *The Dallas Morning News* on ***July 25, 2024***

Dallas Morning News Sales Operations

Sworn to and subscribed before me this Date: 07/25/2024

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Notary Public, State of Texas
Comm. Expires 03-22-2028
Notary ID 134822067

Notary Public, State of Texas