



**NOTICE AND AGENDA OF REGULAR CALLED MEETING
HEATH PLANNING & ZONING COMMISSION
200 LAURENCE DRIVE - HEATH, TX 75032
TUESDAY, MAY 5, 2026 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. Consent Agenda

These items consist of non-controversial or "housekeeping" items required by law. Items may be considered individually by any Board member making such request prior to a motion and vote on the Consent Items.

3.a Action regarding the minutes of the April 7, 2026 regular meeting.

4. Items for Individual Consideration

4.a Conduct a Public Hearing and act on an Ordinance of the City Council of the City of Heath, Texas, amending the City of Heath Master Thoroughfare Plan by map amendment only for the removal of a proposed Arterial and a Major Collector Roadways as currently depicted on current Master Thoroughfare Plan map.

4.b Conduct a Public Hearing and act on an Ordinance of the City Council of the City of Heath, Texas, Amending Title XV, Land Usage, Chapter 159 "Zoning", Section 159.21(C) Conditional Uses to allow for "ambulance services" as a conditional use; Providing a Severability Clause, Repealer Clause, and Savings Clause; Providing an Effective Date; Providing for Publication; and Finding and Determining the meeting at which the Ordinance is adopted was open to the public as required by law.

4.c Conduct a Public Hearing and act on Case No. CUP-26-1 for a request from Timothy Wolf of Rockwall County EMS (Emergency Medical Services) for a Conditional Use Permit that would allow for an ambulance service on property located at 6834 S.FM 549, zoned (SF-43) Single Family Residential District, and being 1.025 acres, situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas.

- 4.d Discussion and consideration of Case No. SP-26-1 for the approval of a site plan requested by Douphrate & Associates, Inc. for medical office buildings located on Lot 2, of the Heath Horizon MOB Addition, zoned (PD-LR) Planned Development District for (LR) Local Retail District land uses and generally situated at the intersection of Horizon Road and Jeff Boyd Road, City of Heath, Rockwall County, Texas.

5. 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. Pursuant to Section 551.127, Texas Government Code, one or more members of the City Commission may attend this meeting remotely using videoconferencing technology. A quorum of the Commission will be physically present at the location provided above.

Agenda posted on the 29th of April, 2026 at 5:00 p.m.



Logan Pettey, Deputy City Secretary

**MINUTES
HEATH PLANNING & ZONING COMMISSION
P&Z REGULAR CALLED MEETING
TUESDAY, APRIL 7, 2026 at 6:30 PM**

ATTENDING: James Tunnell
Wayne Gordon
Thomas Bishop
Jason Thompson
Mike Rask
Joe Ruskiewicz
Bob Shaw
Joe Ruskiewicz- present via zoom.

1. Call to Order

Chairman Tunnell called the meeting to order at 6:30 P.M.

2. Public Comment

No public comments.

3. Consent Agenda

- 3.a Receive report regarding the February 24, 2026 City Council Meeting and discussion of same.
- 3.b Action regarding the minutes of the February 3, 2026 regular meeting.

MOTION: APPROVE THE MEETING MINUTES

MOTION MADE: WAYNE GORDON
SECONDED: THOMAS BISHOP
ABSTAIN: JOE RUSZKIEWICZ (absent from previous meeting)
APPROVED: PASSED

4. Items for Individual Consideration

- 4.a Discussion and action regarding Case No. FP-26-2 for the approval of a replat of the City of Heath & Heath Municipal Benefits Corporation Addition, being 5.482-acre parcels of land and creating Lots 1A-1, 3A, & 4A, situated in the Edward Teal Survey, Abstract No. 207, zoned for (LR) Local Retail District land uses, and generally situated along Chris Cuny Boulevard and Heath Hawk Drive, City of Heath, Rockwall County, Texas.
(D. Gonzales)

- A few commissioners shared concerns about parking, boundaries and access.
- Suzanne Brooke stated extensive conversations and planning workshops have been held regarding parking and parking requirements and that the developers are aware of all requirements.

MOTION: APPROVE THE REPLAT AS SET OUT IN ITEM 4.A.

MOTION MADE: WAYNE GORDON
SECONDED: JOE RUSZKIEWICZ
APPROVED: PASSED UNANIMOUSLY BY THOSE PRESENT

5. Adjourn

Chairman Tunnell adjourned at 6:48 P.M.

James Tunnell, Chairman

Logan Pettey, Deputy City Secretary





CITY of HEATH

Planning & Zoning Commission

Agenda Brief

MEETING DATE: 05/05/2026

AGENDA ITEM: 4.a

Item:

Conduct a Public Hearing and act on an Ordinance of the City Council of the City of Heath, Texas, amending the City of Heath Master Thoroughfare Plan by map amendment only for the removal of a proposed Arterial and a Major Collector Roadways as currently depicted on current Master Thoroughfare Plan map.

Applicant:

City of Heath

Background:

This item is a requested amendment to the City of Heath Master Thoroughfare Plan Map. The purpose of the request is to remove two previously proposed corridors identified as a 100-ft wide Arterial roadway and an 80-ft wide Major Collector. The roadways are located between FM-740 and FM-550 and are indicated as dashed lines representing Proposed on the map. The map amendment does not revise the roadway classifications elsewhere within the city. The request for removal of these proposed corridors came after council discussion of the proposed widening of FM 740.

Public Notification:

Notice of the public hearing has been provided on the city website.

Financial Impact:

None

Legal Impact:

None

Staff Recommendation:

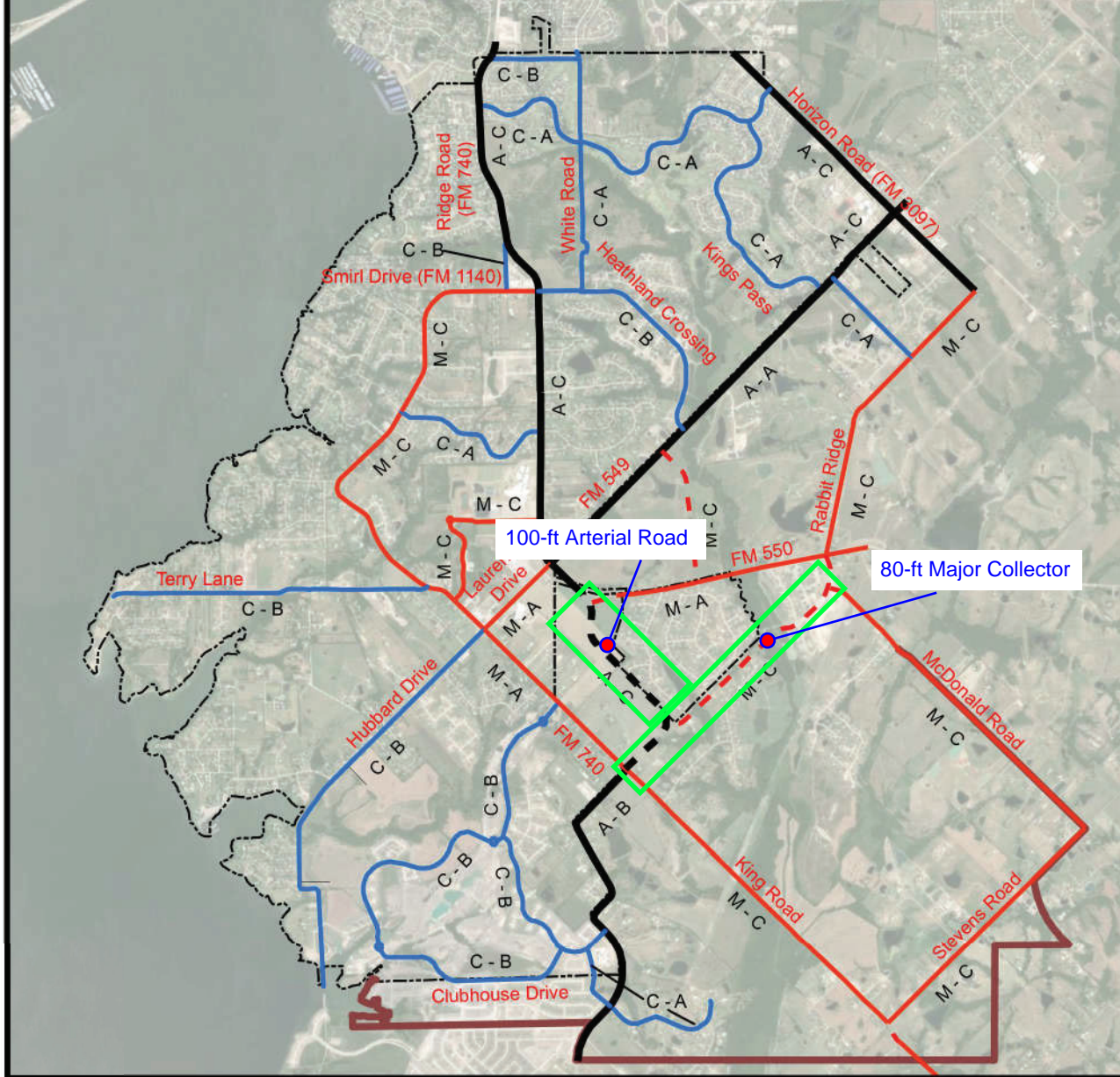
Staff recommends the Planning and Zoning Commission review, discuss, and make a recommendation to the City Council on the requested amendment to the Master Thoroughfare Plan Map.

Attachments:

[HeathThoroughfare Plan Map.pdf](#)

[Ordinance No. 260526x \(Master Thoroughfare Plan Map Update\) 05.26.2026_v2.pdf](#)

Heath Thoroughfare Plan



Legend

Existing Proposed

- Arterial (A) 100'
- Major Collector (M) 80'
- Minor Collector (C) 60'

- ETJ
- City Limit



— Classification (A, M, or C)
X - Y Proposed Cross-section (A, B, or C)



CITY OF HEATH

ORDINANCE NO. 260526x

AN ORDINANCE OF THE CITY OF HEATH, TEXAS, AMENDING THE CITY OF HEATH MASTER THOROUGHFARE PLAN FOR THE PURPOSE OF REMOVING THE PROPOSED 100-FT ARTERIAL AND PROPOSED 80-FT MAJOR COLLECTOR ROADWAYS AS DEPICTED IN EXHIBIT ‘A’; DETERMINING THAT IT IS IN THE PUBLIC INTEREST, HEALTH, SAFETY, MORALS AND GENERAL WELFARE BY ADOPTING AMENDED MASTER THOROUGHFARE PLAN; PROVIDING CUMULATIVE, REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Heath (“City”) is a home rule municipality, acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality has exclusive control over highways, streets, and alleys of the municipality; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that a home-rule municipality, such as the City, may, *inter alia*, open, change and improve a street; and

WHEREAS, the City of Heath may adopt an amendment to the Master Thoroughfare Plan Map for the long-range development to prepare other plans, policies, or strategies of the municipality; and

WHEREAS, the City Council does hereby find and conclude based upon the information presented that adoption of the amended Master Thoroughfare Plan, attached as Exhibit A, is in the best interest of the citizens of Heath and the general public, and in support of the health, safety, and general welfare of the City.

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

Section 1. Findings Incorporated.

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. Adoption of the Amended Master Thoroughfare Plan.

That the Master Thoroughfare Plan be amended by removing the Proposed 100-ft. Arterial and Proposed 80-ft. Major Collector Roadways as depicted and incorporated herein as Exhibit “A”, and the Master Thoroughfare Plan is hereby adopted by the City Council of the City of Heath, Texas. The Director of Community Development is hereby authorized and directed to prepare a new

Master Thoroughfare Plan map to reflect the amendments authorized by this Ordinance No. 260526x.

Section 3. Cumulative Clause.

This Ordinance shall be cumulative of all provisions of state or federal law and other ordinances of the City of Heath, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such other ordinances are hereby repealed.

Section 4. Severability Clause.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. Repealer Clause.

Any provisions of any prior ordinance of the City whether codified or uncoded, which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all other provisions of the ordinances of the City whether codified or uncoded, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

Section 6. Effective Date.

This Ordinance shall become effective immediately upon passage and approval by the City Council, and it is so ordained.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Heath, Texas, on this the 26th day of May, 2026.

Jeremiah McClure, Mayor

ATTEST:

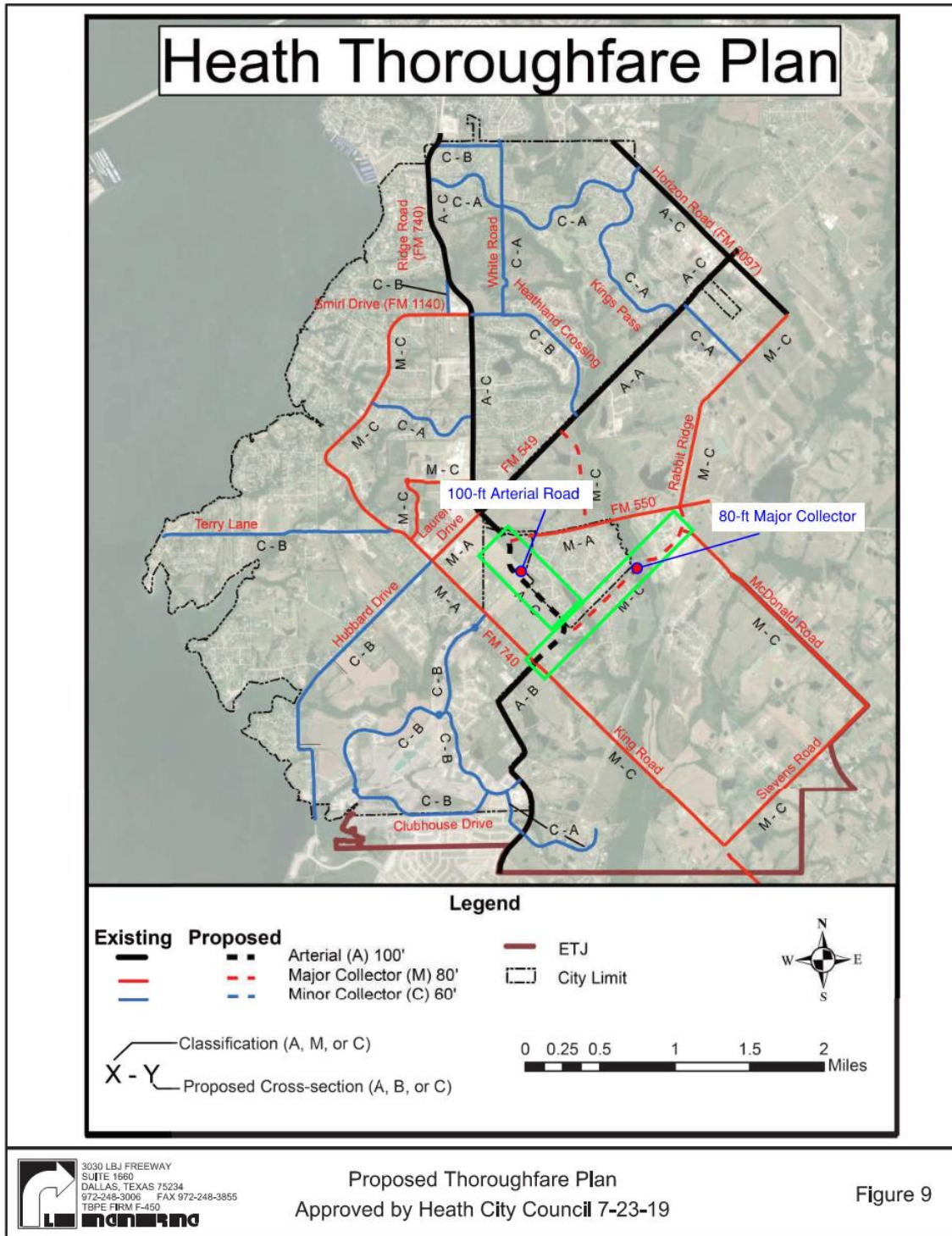
APPROVED AS TO FORM:

Norma Duncan, City Secretary

Marie Johnson, Assistant City Attorney

EXHIBIT "A"

Master Thoroughfare Plan Map





CITY of HEATH

Planning & Zoning Commission

Agenda Brief

MEETING DATE: 05/05/2026

AGENDA ITEM: 4.b

Item:

Conduct a Public Hearing and act on an Ordinance of the City Council of the City of Heath, Texas, Amending Title XV, Land Usage, Chapter 159 “Zoning”, Section 159.21(C) Conditional Uses to allow for “ambulance services” as a conditional use; Providing a Severability Clause, Repealer Clause, and Savings Clause; Providing an Effective Date; Providing for Publication; and Finding and Determining the meeting at which the Ordinance is adopted was open to the public as required by law.

Applicant:

City of Heath

Current Zoning:

(SF-43) Single-Family Residential District

Background:

On April 16, 2016, the City Council approved a text amendment to Chapter 159, “Zoning”, by amending Section 159.21 (SF-43) Single-Family Residential District, Section (C) Conditional Uses, (3) Facilities for railroads or those utilities holding a franchise in the City of Heath, to include “ambulance services contracted with the City of Heath” by Ordinance No. 160412D. Subsequently, on December 18, 2018, the City Council approved an amendment to various sections of Chapter 159, “Zoning” for the purpose of amending technical corrections and amending certain land use provisions to align with the goals and objectives of the newly adopted 2018 Comprehensive Plan via Ordinance No. 181211B. This was considered a large overhaul of the code. In staff’s memorandum, there are strike-throughs and underlines representing changes/additions to other sections of the code. However, under Section 159(C) (3), there is no indication of a strike-through (removal) for “ambulance services contracted with the City of Heath” that was established by Ordinance No. 160412D. Presented to the City Council in this large overhaul -- *within staff’s memorandum* -- was the prior code that read “(3) Facilities for railroads or those utilities holding a franchise in the City of Heath” and did not include “ambulance services contracted with the City of Heath”. This is presumed to have been an oversight by staff not including the language for “ambulance services contracted with the City of Heath” from Ordinance No. 160412D in the 2018 Zoning Code amendment.

That said, Rockwall Emergency Medical Services (EMS) has been providing ambulance service for the

City of Heath through a Condition Use Permit (CUP) since May 2016 at their current location at 6834 FM-549. In order to continue ambulance services within the (SF-43) Single-Family Residential District, this would require approval of a text amendment to the Code of Ordinances by the City Council to Chapter 159, “Zoning”, Section 159.21(C), to allow ambulance service with the approval of a Conditional Use Permit (CUP). Staff has provided an Ordinance that would amend Section 159.21(C) to allow for ambulance service by requiring a Conditional Use Permit; however, it should be noted that the text amendment will establish the amendment to add Subsection (9) Ambulance services for companies contracted with the Rockwall County Emergency Services Corporation otherwise contracted to provide ambulance services within the City’s jurisdiction. This would allow for flexibility should there be a direct contract with Heath or some other arrangement in the future.

If the text amendment to Chapter 159, “Zoning” is approved, a separate application has been submitted requesting a Conditional Use Permit (CUP) for the ambulance service by Rockwall Emergency Medical Services (EMS).

Public Notification:

The required public notice was posted on the City’s website and published in the Dallas Morning News on Thursday, April 23, 2026.

Financial Impact:

None

Legal Impact:

None

Staff Recommendation:

A request to amend the City of Heath Code of Ordinances is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. As similar language had previously been adopted and inadvertently not captured in the previous zoning amendments, staff recommends approval of this amendment.

Attachments:

[Draft Ordinance \(ZTA-26-1 -CUP for Ambulance Service\) 05.26.2026 v2.pdf](#)

[Ordinance No.160412D.pdf](#)

[Ordinance No. 181211B.pdf](#)

**CITY OF HEATH, TEXAS
ORDINANCE NO. 260526x**

AN ORDINANCE OF THE CITY OF HEATH, TEXAS, AMENDING CHAPTER 159, “ZONING” OF THE CITY OF HEATH CODE OF ORDINANCES, BY AMENDING SECTION 159.21(C) (SF-43) SINGLE-FAMILY RESIDENTIAL DISTRICT, CONDITIONAL USES TO ADD SUBSECTION (C)(9) AMBULANCE SERVICES; PROVIDING FOR INCORPORATION OF THE PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Heath (“City”) is a home rule municipality, acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, the City adopted a comprehensive zoning ordinance in Chapter 159 “Zoning” of the City of Heath Code of Ordinances in accordance with Chapter 211 of the Texas Local Government Code (“Zoning Ordinance”); and

WHEREAS, the City Council of the City has investigated and determined that it is in the best interest of the City to amend the Zoning Ordinance to allow the addition of ambulance services as a conditional use in the “(SF-43) Single-Family Residential District”; and

WHEREAS, the Planning and Zoning Commission and the City Council in compliance with the laws of the State of Texas and the ordinances of the City have given the requisite notices by publication and otherwise, have held public hearings and afforded a full and fair hearing to all persons interested in and situated in the affected area; and

WHEREAS, the City Council, in the exercise of its legislative discretion, has concluded that the Zoning Ordinance be amended as set forth in this Ordinance and that such amendment is in the health, safety and welfare of the citizens of Heath and the general public.

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

Section 1. Incorporation of Premises. All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. Amendment to Section 159.21. That Section 159.21 (SF-43) “Single-Family Residential District” in Chapter 159, “Zoning” of the City of Heath Code of Ordinances is hereby amended to add subsection (9) to Section 159.21(C) “Conditional uses (require permits, see § 159.43)” to read entirely shown below (with deletions shown as ~~striketrough~~ text and additions shown as underlined text), with the remaining portions of Chapter 159, “Zoning,” remaining in full force and effect.

“(C) *Conditional uses (require use permits, see § 159.43).*”

- (1) Associated recreation and/or community clubs;
- (2) Accessory buildings that do not conform to the requirements specified in division (B)(15) above;
- (3) Facilities for railroads or those utilities holding a franchise in the city;
- (4) Paved parking facilities for non-residential uses that are not allowed in this district if properly screened, buffered, and landscaped;
- (5) A private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;
- (6) A driveway or crosswalk, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district;
- (7) Agricultural use; ~~and~~
- (8) Wind energy systems that do not conform to requirements listed in division (B)(13) above (see also § 159.50); and
- (9) Ambulance services for companies contracted with the Rockwall County Emergency Services Corporation or otherwise contracted to provide ambulance services within the City's jurisdiction.

Section 3. Repealer. This Ordinance shall be cumulative of all provisions of all ordinances of the City of Heath, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

Section 4. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. Penalty. Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Heath, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage, and the publication of the caption, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED on this the 26th day of May 2026.

APPROVED:

Jeremiah McClure, Mayor

ATTEST:

Norma Duncan, City Secretary

APPROVED AS TO FORM:

Marie Johnson, Assistant City Attorney

**CITY OF HEATH, TEXAS
ORDINANCE NO. 160412-D**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEATH, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 159, ZONING, BY AMENDING SECTION 159.21. (SF-43) SINGLE-FAMILY RESIDENTIAL DISTRICT, (C) CONDITIONAL USES (3) FACILITIES FOR RAILROADS OR THOSE UTILITIES HOLDING A FRANCHISE IN THE CITY OF HEATH TO INCLUDE AMBULANCE SERVICES CONTRACTED WITH THE CITY; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) PER DAY FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, A REPEALER CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Heath and the governing body of the City of Heath, in compliance with the laws of the State of Texas and the ordinances of the City of Heath, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair public hearing; and

WHEREAS, the City Council of the City of Heath, Texas, in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Heath should be amended as follows:

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

SECTION 1. That Chapter 159, Zoning, of the Code of Ordinances, Section 159.21, be and is hereby amended in part to read as follows:

§ 159.21 (SF-43) SINGLE-FAMILY RESIDENTIAL DISTRICT

(C) *CONDITIONAL USES.*

(3) Facilities for railroads, those utilities holding a franchise in the City of Heath or ambulance services contracted with the City of Heath;

SECTION 2. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of this Ordinance, nor shall adjudication affect any other section, paragraph, or provision of the Zoning Ordinance of the City of Heath, Texas and the remaining portions of such ordinances shall remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. All provisions of the Code of Ordinances of the City of Heath in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of

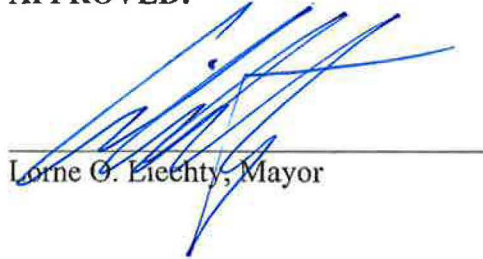
Ordinances of the City of Heath not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Any person, firm or corporation violating any term or provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a penalty of fine not to exceed the amount of Two Thousand Dollars (\$2,000) for each offense. Every day a violation continues shall constitute a separate offense.

SECTION 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF HEATH, TEXAS on this the 12th day of APRIL 2016.

APPROVED:



Lorne G. Eiechty, Mayor

ATTEST:



Norma Duncan, City Secretary

APPROVED AS TO FORM:



Wm. Andrew Messer, City Attorney

**CITY OF HEATH
ORDINANCE NO. 181211B**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEATH, TEXAS, AMENDING VARIOUS SECTIONS TO CHAPTER 159, "ZONING", OF THE CODE OF ORDINANCES, CITY OF HEATH, TEXAS, THE SAME BEING THE ZONING ORDINANCE, INCLUDING SECTIONS 159.03, "LAND AND STRUCTURES TO BE USED AS REQUIRED BY DISTRICT REGULATIONS", SECTION 159.06, "PRESERVATION OF FLOODPLAIN AREAS", SECTION 159.22, "(SF-22) SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 159.23, "(SF-15) SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 159.24, "(D) DUPLEX RESIDENTIAL DISTRICT", SECTION 159.25, "(TH) TOWNHOUSE RESIDENTIAL DISTRICT", SECTION 159.26, "(MF-8) MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT", SECTION 159.27, "(LR) LOCAL RETAIL DISTRICT REGULATIONS", SECTION 159.28, "(PD) PLANNED DEVELOPMENT DISTRICT", SECTION 159.42, "DEFINITIONS", AND SECTION 159.49, "NONCONFORMING USES", FOR THE PURPOSE OF IMPLEMENTING TECHNICAL CORRECTIONS, AND AMENDING CERTAIN LAND USE PROVISIONS AND REQUIREMENTS TO REFLECT THE GOALS AND OBJECTIVES ESTABLISHED IN THE CITY OF HEATH 2018 COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 180410A ON APRIL 10, 2018; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Heath, Texas (the "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Section 211.003 of the Texas Local Government Code provides that the City Council may regulate the percentage of a lot that may be occupied; the population density; the size of yards, courts, and other open spaces; the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and the bulk of buildings; and

WHEREAS, Section 211.005(a) of the Texas Local Government Code authorizes the City Council to divide the City into districts, within which the City Council may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land and within which zoning regulation must be uniform for each class or kind of building in a district; and

WHEREAS, the City Council of the City of Heath, Texas (the "City Council") adopted Chapter 159 of its Code of Ordinances, the same being the City's Zoning Ordinance, which sets forth various regulations for the use of land within the City; and

WHEREAS, on April 10, 2018, the City adopted Ordinance 180410A, a revised Comprehensive Plan, after conducting substantial studies and a number of public hearings and work sessions, giving of public notice; and gathering input from the City's professional planner, owners and developers of land within the City regarding the revised Comprehensive Plan (the "Comprehensive Plan"); and

WHEREAS, the Comprehensive Plan now contains a provision defining residential "developable area" to exclude land that is in the regulatory floodplain; rivers, lakes, and streams; and rights-of-way (the "ROW"); and

WHEREAS, having considered the recommendations of the Planning and Zoning Commission concerning the appropriateness of the amendments to the Zoning Ordinance in order to provide clarity and harmonize the regulations of the Zoning Ordinance with the Comprehensive Plan; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City has recommended to the City Council the adoption of the amendments to the Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before City Council at which the City Council considered the recommendation of the Planning and Zoning Commission, and among other things, the necessity for orderly and appropriate regulations of the use of land and the erection of structures thereon, and the City Council does hereby find that the amendments to the City's Zoning Ordinance approved hereby accomplishes such objectives; and

WHEREAS, the City Council wishes to now amend its Zoning Ordinance to reflect the provisions of the Comprehensive Plan in conformance with Local Government Code Chapters 211 and 213, and to ensure the public peace, health, safety, morals, and general welfare of the City and for the proper conduct of its affairs; and

WHEREAS, the City Council deems it necessary, expedient, and in the best interest of the City to adopt the below revisions to its Zoning Ordinance.

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

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Findings. After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City of Heath, Texas, and of the public health, safety and welfare.

Section 3. Zoning Amendments. Chapter 159 of the Code of Ordinances of the City of Heath, Texas, the same being the City's Zoning Ordinance, is hereby amended to read as follows, and all other articles, chapters, sections, paragraphs, sentences, phrases and words not expressly amended hereby are hereby ratified and affirmed (with additions shown in underline and deletions shown in strikethrough):

§ 159.01 DIVISION OF CITY INTO DISTRICTS.

(A) For the purpose of regulating and restricting the use of land and the erection, construction, reconstruction, alterations, moving or use of buildings, structures or land, all lands within the corporate limits of Heath are hereby divided into the following districts:

- (1) District (A) Agricultural District;
- (2) District (SF-43) Single-Family Residential District; minimum lot size 43,560 square feet (one acre);
- (3) District (SF-22) Single-Family Residential District; minimum lot size 22,000 square feet (one-half acre);
- (4) District (SF-15) Single-Family Residential District; minimum lot size 15,000 square feet;
- (5) District (TH) Townhouse Residential District;
- (6) District (D) Duplex Residential District;
- (7) District (MF-8) High-Density Multi-Family District; maximum density eight units per acre; and
- (8) District (LR) Local Retail District.

(B) Any use not listed herein may be placed in a suitable district classification by the governing body, after recommendation of the Planning and Zoning Commission as specified in § 159.82.

§ 159.03 LAND AND STRUCTURES TO BE USED AS REQUIRED BY DISTRICT REGULATIONS.

(A) The regulations set by this chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

(B) No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

(C) No part of a yard, or other space, or off-street parking or loading space required about or in connection with any building or use for the purpose of complying with this chapter, shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building or use.

(D) Every building hereafter erected or altered shall be located on a lot as herein defined.

(E) An accessory building/structure must be incidental to the main building and must comply with all use regulations applicable to the main building except as stated herein.

(1) An accessory building/structure may not be used for commercial purposes except as permitted per the use district and within the definition of home occupation.

(2) An accessory building/structure may not be rented separately from the residence.

(3) A detached accessory building/structure may not be used for living quarters which is comprised of rooms and/or areas that are normally associated with residential accommodations, e.g.: kitchens, kitchenettes, dining rooms, sleeping rooms, living areas, bathrooms and the like, except for guest houses and servants quarters where permitted or granted by conditional use permit.

(4) Accessory building/structures shall not be located in any front yard.

(5) No accessory building/structure shall be constructed upon a lot until the construction on the principal building has commenced with the permanent foundation and framing in place.

(6) No accessory building/structure shall be put in use unless the principal building is completed and occupied.

(7) With respect to accessory building/structure as defined in § 159.42, the city's Building Official or a representative designated by him or her must also determine, based upon the following criteria, if the structure is an attached accessory building/structure to the main building:

(a) That the required roof extension is a structural member of the roof of the main building;

(b) That the roof extension does not exceed 24 feet in length, excluding overhangs, and the ridgeline of the roof extension is not higher than the roof over the main building;

(c) That the attached accessory use building/structure is no larger than 900 square feet and is built of like material and design in generally the same proportions (exclusive of glass) as the main building; and

(d) Does not contain attributes such as plumbing for a kitchen or bathroom, which may cause the city's Building Official or his or her designated representative to determine that such accessory building/structure should not be allowed without the applicant obtaining a conditional use permit.

(8) If the city's Building Official or his or her designated representative determines that an accessory building/structure is not an attached, integral part of the main building under the foregoing criteria, and that otherwise the accessory building/structure is not allowed under the provisions herein relating to stand alone, detached accessory buildings/structures without a conditional use permit; then the City Building Official or his or her designated representative shall advise the applicant that he or she must obtain a conditional use permit for applicant's proposed accessory building/structure. Each accessory building/structure used for non-residential or

multi-family residential purpose shall be considered a principal building/structure. The regulations detailed in this section shall govern the location of swimming pools and spas accessory to non-residential and multi-family residential uses.

(9) Distance between single-family and non-residential/multi-family residential swimming pools and spas: when property occupied by non-residential and/or multi-family residential uses abuts a single-family district, swimming pools and spas accessory to the non-residential and multi-family residential uses shall be located no closer than 50 feet to the single-family district, as measured from the outside of the pool liner.

(F) When calculating lot area in all use districts or districts, such area shall not include: (1) land that is in the regulatory floodplain; (2) rivers, lakes, and streams; and/or (3) rights-of-way.

§ 159.05 PURPOSE OF THE USE DISTRICTS.

The purpose of the use districts described herein 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 heated 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 Heath.

§ 159.06 PRESERVATION OF FLOODPLAIN AREAS.

(A) In accordance with the Comprehensive Plan, land that is classified within any floodplain, including the 100-year floodplain with fully developed conditions for the entire watershed, shall not be reclaimed nor included as lot area.

(B) The protected floodplain or 100-year floodplain with fully developed conditions for the entire watershed is defined as the area that is certified by a professional engineer to be within the 100-year floodplain, assuming build-out or fully developed conditions for the entire area within the relevant watershed.

(C) No excavation, filling, grading or any other type of altering the protected floodplain elevation shall occur until, and unless, the excavation, filling, grading or alteration has been approved by the City Council, who may ascertain, based upon a recommendation from the City's Engineer, that such alteration is not subject to flood damage and would not constitute an encroachment, hazard or obstacle to the movement of flood waters and that the value and safety of other property or the public health and welfare would not be endangered.

....

USE DISTRICTS

§ 159.20 (A) AGRICULTURAL DISTRICT.

(A) Purpose.

(1) The Agricultural District is to be used to promote orderly, timely, economic growth and to recognize current land-use conditions. The district is a reserved area in which the future growth of the city might occur. It is the intent of this district that agricultural land be held in that use for as long as is practical and reasonable. This zoning is suitable for areas where development is premature because of a lack of utilities, capacity or service, or where the ultimate land use has not been determined.

(2) The zone is also to be used:

(a) To protect those areas that are unsuitable for development because of physical problems or potential health or safety hazards such as flooding. The usage of the land would be permanently restricted to low intensity agricultural uses until such time as the property is proven to be suitable for development and is rezoned; and

(b) To provide a permanent greenbelt to preserve natural areas or open space buffer around uses that might otherwise be objectionable or pose environmental or health hazards.

(B) Permitted uses.

(1) Farming, ranching, related activities, owner's single-family dwelling and one accessory building not larger than 900 square feet of floor area and not taller than 20 feet in height and on ten acres or more. Agriculture district accessory building/structures shall have no sleeping areas, bathroom or kitchen plumbing (except for one hand sink) or kitchen facilities;

(2) Home occupations;

(3) Municipality owned or controlled facilities, utilities and uses;

(4) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official;

(5) For a guest house, the maximum size may not exceed 900 square feet in area on parcels of land under two acres in size or 1,742 square feet on parcels of land two acres or greater in size. It must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition, the uses shall not be sold or conveyed separately without the meeting the requirements of the subdivision ordinance;

(6) For servant's quarters, the quarters may be a portion of the main building or, if the parcel of land exceeds two acres in size, the quarters may be a separate building not exceeding 1,742 square feet in total floor area. The quarters must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition,

such uses shall not be sold or conveyed separately without meeting the requirements of the subdivision ordinance;

(7) Wind energy systems on lots greater than ten acres in size subject to all terms and conditions of § 159.50; and

(8) A single open landscape structure on the same lot as an accessory to a residential use and used as a trellis, arbor, pergola, gazebo, or outdoor kitchen that does not exceed 350 square feet in area and fifteen feet in height.

(C) Conditional uses (require use permits, see § 159.43).

(1) Facilities for the raising of animals in accordance with all applicable City of Heath ordinances;

(2) Single-family dwelling and one or more accessory building uses on property of less than ten acres that has not been subdivided or sold off in pieces since the effective date of this chapter or the date of annexation, whichever is later.

(3) More than one accessory building on more than ten acres or an accessory building that does not conform to the requirements of division (B)(1) above.

(4) Wholesale nursery for the growing of plants not for retail sale on the premises;

(5) Facilities for railroads or those utilities holding a franchise under the City of Heath;

(6) Institutional uses including sanitary landfill, water treatment and supply facilities, wastewater treatment facilities;

(7) Wind energy systems that do not conform to requirements in division (B)(7) above. (See also § 159.50.); and

(8) Other uses which, as determined by the Planning and Zoning Commission, are not contrary to the purposes established for this district.

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses; and

(2) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.

(E) Area requirements.

(1) Minimum lot area, as defined herein: 43,560 square feet (one acre);

(2) Minimum lot frontage on a public street: 100 feet;

(3) Minimum lot depth: 200 feet;

(4) Minimum depth of front setback: 40 feet plus one foot for each foot in height over 25 feet;

(5) Minimum depth of rear setback: 25 feet;

(6) Minimum width of side setback:

(a) Internal lot: ten feet;

(b) Side yard setback abutting street: 20 feet; and

(c) Abutting an arterial: 30 feet.

(7) Minimum distance between buildings on the same lot or parcel of land: 15 feet;

- (8) Minimum length of driveway pavement from the public right-of-way on a side or rear yard: 25 feet;
- (9) Maximum building coverage as a percentage of lot area, as defined herein: N/A;
- (10) Maximum height of structures: 35 feet;
- (11) Minimum number of off-street parking spaces required for one single-dwelling unit: two.
 - (a) An enclosed garage shall not be considered in meeting the off-street parking requirements.
 - (b) All other uses: see §§ 159.60 through 159.68.

§ 159.21 (SF-43) SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) This district is considered to be the proper zoning classification for one-acre lot developments for single-family dwelling use. This district is intended to be composed of single-family dwellings.
- (2) Areas that are zoned for this use shall have or provide for water, wastewater, drainage and access to paved streets based on single-family usage required by the allowed density.
- (3) It is intended for areas that are properly buffered from nonresidential uses, and protected from pollution and/or environmental hazards or from high volume of non-single family traffic.
- (4) Developers wishing to restrict their subdivision to lot sizes in excess of what this chapter requires shall use restrictive covenants.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land, in accordance with all other adopted ordinances;
- (2) One detached single-family dwelling per lot;
- (3) A single one-story detached building used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet (no building permit required);
- (4) A single detached accessory building, built of like materials and design as the main building, that does not exceed 2% of the total square footage of the lot or parcel of land (e.g., 43,560 square feet x .02 = 871.2 square feet) and 15 feet in height or 50% of the area of the main building. The maximum size may not exceed 900 square feet in area or 15 feet in height;
- (5) Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, the sales offices to be maintained at all times;
- (6) Temporary on-site construction offices, limited to the period of construction, with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
- (7) Home occupations;
- (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
- (9) All municipality owned or controlled facilities, utilities and uses;
- (10) Private residential swimming pools as an accessory to a residential use;
- (11) Private unlighted residential tennis courts on the same lot as an accessory to a residential use;

(12) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official;

(13) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units;

(14) Guest house. The maximum size may not exceed 900 square feet in area on parcels of land under two acres in size or 1,742 square feet on parcels of land two acres or greater in size. It must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of such use may not receive remuneration for the use of one of the above. In addition, the uses shall not be sold or conveyed separately without the meeting the requirements of the Subdivision Ordinance;

(15) Servant's quarters. The quarters may be a portion of the main building or, if the parcel of land exceeds two acres in size, the quarters may be a separate building not exceeding 1,742 square feet in total floor area. The quarters must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition, such uses shall not be sold or conveyed separately without meeting the requirements of the Subdivision Ordinance; and

(16) Wind energy systems on lots greater than ten acres in size subject to all terms and conditions of § 159.50.

(C) Conditional uses (require use permits, see § 159.43).

(1) Associated recreation and/or community clubs;

(2) Accessory buildings that do not conform to the requirements specified in division (B)(4) above;

(3) Facilities for railroads or those utilities holding a franchise in the City of Heath;

(4) Paved parking facilities for nonresidential uses that are not allowed in this district if properly screened, buffered and landscaped;

(5) A private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;

(6) A driveway or crosswalk, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district;

(7) Agricultural use; and

(8) Wind energy systems that do not conform to requirements listed in division (B)(16) above. (See also § 159.50).

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses;

(2) The storage of equipment, materials or vehicles, including abandoned vehicles which are not necessary to the uses permitted in this district;

(3) Any use of property that does not meet the required minimum lot size; front side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required; and

(4) Day care centers.

(E) Area requirements.

(1) Minimum lot area, as defined herein: one acre (43,560 square feet);

- (2) Maximum number of single-family detached dwelling units per lot: one;
- (3) Minimum square footage per dwelling unit: 1,500 square feet;
- (4) Minimum lot width: 100 feet at front building line;
- (5) Minimum lot depth: 175 feet;
- (6) Minimum depth of front setback: 30 feet;
- (7) Minimum depth of rear setback: 25 feet for main building and ten feet for accessory building or other structure;
- (8) Minimum width of side set back:
 - (a) Internal lot: 15 feet; and
 - (b) Side yard setback abutting street: 30 feet.
- (9) Minimum distance between separate buildings on the same lot or parcel of land: 15 feet;
- (10) Minimum length of driveway pavement: from public right-of-way to the building line or 30 feet whichever is greater;
- (11) Maximum building coverage as a percentage of lot area, as defined herein: 35%;
- (12) Maximum height of structures: 35 feet; and
- (13) Minimum number of paved off-street parking spaces required for:
 - (a) One single-family dwelling unit: two. (An enclosed garage shall not be considered in meeting the off-street parking requirements); and
 - (b) All other uses: see §§ 159.60 through 159.68.

§ 159.22 (SF-22) SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) 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.
- (2) This district is considered to be the proper zoning classification for one-half-acre lot developments for single-family dwelling use. This district is intended to be composed of single-family dwellings.
- (3) Areas that are zoned for this use shall have or provide for water, wastewater, drainage and access to paved streets based on single-family usage required by the allowed density.
- (4) It is intended for areas that are properly buffered from nonresidential uses, and protected from pollution and/or environmental hazards or from high volume of non-single-family traffic.
- (5) Developers wishing to restrict their subdivision to lot sizes in excess of what this chapter requires shall use restrictive covenants.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land, in accordance with all other adopted ordinances;
- (2) One detached single-family dwelling per lot;

- (3) A single one-story detached building used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet (no building permit required);
 - (4) A single detached accessory building, built of like materials and design as the main building, that does not exceed 2% of the total square footage of the lot or parcel of land (e.g., 22,000 square feet x .02 = 440 square feet) and 15 feet in height or 50% of the area of the main building. The maximum size may not exceed 900 square feet in area or 15 feet in height;
 - (5) Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such sales offices to be maintained at all times;
 - (6) Temporary on-site construction offices, limited to the period of construction with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
 - (7) Home occupations;
 - (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
 - (9) All municipality owned or controlled facilities, utilities and uses;
 - (10) Private residential swimming pools as an accessory to a residential use;
 - (11) Private unlighted residential tennis courts on the same lot as an accessory to a residential use;
 - (12) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official;
 - (13) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units;
 - (14) For a guest house, the maximum size may not exceed 900 square feet in area on parcels of land under two acres in size or 1,742 square feet on parcels of land two acres or greater in size. It must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition, the uses shall not be sold or conveyed separately without the meeting the requirements of the Subdivision Ordinance;
 - (15) For servant's quarters, the quarters may be a portion of the main building or, if the parcel of land exceeds two acres in size, the quarters may be a separate building not exceeding 1,742 square feet in total floor area. The quarters must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition, the uses shall not be sold or conveyed separately without meeting the requirements of the Subdivision Ordinance; and
 - (16) A single open landscape structure on the same lot as an accessory to a residential use and used as a trellis, arbor, pergola, gazebo, or outdoor kitchen that does not exceed 350 square feet in area and fifteen feet in height.
- (C) Conditional uses (require use permits, see § 159.43).
- (1) Associated recreation and/or community clubs;
 - (2) Guest houses, or separate servant quarters;
 - (3) Accessory buildings that do not conform to the requirements specified in division (B)(4) above;
 - (4) Facilities for railroads or those utilities holding a franchise in the City of Heath;

(5) Paved parking facilities for nonresidential uses that are not allowed in this district if properly screened, buffered and landscaped;

(6) A private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;

(7) A driveway or crosswalk, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district; and

(8) Agricultural use.

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses;

(2) The storage of equipment, material or vehicles, including abandoned vehicles which are not necessary to the uses permitted in this district;

(3) Any use of property that does not meet the required minimum lot size; front side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required; and

(4) Day care centers.

(E) Area requirements.

(1) Minimum lot area: one-half acre (22,000 square feet);

(2) Maximum number of single-family detached dwellings per lot: one;

(3) Minimum square footage per dwelling unit: 1,500 square feet;

(4) Minimum lot frontage width: 90 feet at the front building line;

(5) Minimum lot depth: 175 feet;

(6) Minimum depth of front setback: 30 feet;

(7) Minimum depth of rear setback: 25 feet for main building and ten feet for accessory building or other structure;

(8) Minimum width of side setback:

(a) Internal lot: 15 feet; and

(b) Site yard setback abutting street: 30 feet.

(9) Minimum distance between separate buildings on the same lot or parcel of land: 15 feet;

(10) Minimum length of driveway pavement: From public right-of-way building line or 30 feet whichever is greater;

(11) Maximum building coverage as a percentage of lot area: 35%;

(12) Maximum height of structures: 35 feet; and

(13) Minimum number of paved off-street parking spaces required for:

(a) One single-family dwelling unit: two. An enclosed garage shall not be considered in meeting the off-street parking requirements.

(b) All other uses: see §§ 159.60 through 159.68.

§ 159.23 (SF-15) SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) 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.
- (2) This district is considered to be the proper zoning classification for 15,000 square foot lot developments for single-family dwelling use. This district is intended to be composed of single-family dwellings.
- (3) Areas that are zoned for this use shall have or provide for water, wastewater, drainage and access to paved streets based on single-family usage required by the allowed density.
- (4) It is intended for areas that are properly buffered from nonresidential uses, and protected from pollution and/or environmental hazards or from high volume of non-single-family traffic.
- (5) Developers wishing to restrict their subdivision to lot sizes in excess of what this chapter requires shall use restrictive covenants.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land, in accordance with all other adopted ordinances;
- (2) One detached single-family dwelling per lot;
- (3) A single one-story detached building used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet (no building permit required);
- (4) A single detached accessory building, built of like materials and design as the main building, that does not exceed 2% of the total square footage of the lot or parcel of land (e.g., 15,000 square feet x .02 = 300 square feet) and 15 feet in height or 50% of the area of the main building. The maximum size may not exceed 900 square feet in area or 15 feet in height;
- (5) Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such sales offices to be maintained at all times;
- (6) Temporary on-site construction offices, limited to the period of construction, with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
- (7) Home occupations;
- (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
- (9) All municipality owned or controlled facilities, utilities and uses;
- (10) Private residential swimming pools as an accessory to a residential use;
- (11) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official;
- (12) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units; and
- (13) A single open landscape structure on the same lot as an accessory to a residential use and used as a trellis, arbor, pergola, gazebo, or outdoor kitchen that does not exceed 350 square feet in area and fifteen feet in height.

(C) Conditional uses (require use permits, see § 159.43).

- (1) Associated recreation and/or community clubs;
- (2) Accessory buildings that do not conform to the requirements specified in division (B)(4) above;
- (3) Facilities for railroads or those utilities holding a franchise in the City of Heath;
- (4) Paved parking facilities for temporary nonresidential uses that are not allowed in this district if properly screened, buffered and landscaped;
- (5) A private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;
- (6) A driveway or crosswalk, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district; and
- (7) Agricultural use.

(D) Prohibited uses.

- (1) Any building erected or land used for other than one or more of the preceding specified uses;
- (2) The storage of equipment, material or vehicles, including abandoned vehicles which are not necessary to the uses permitted in this district;
- (3) Any use of property that does not meet the required minimum lot size; front side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required; and
- (4) Day care centers.

(E) Area requirements.

- (1) Minimum lot area: 15,000 square feet;
- (2) Maximum number of single-family detached dwelling units per lot: one;
- (3) Minimum square footage per dwelling unit: 1,500 square feet;
- (4) Minimum lot width: 80 feet at the front building line;
- (5) Minimum lot depth: 125 feet;
- (6) Minimum depth of front setback: 30 feet;
- (7) Minimum depth of rear setback: 25 feet for main building and ten feet for accessory building or other structure;
- (8) Minimum width of side setback:
 - (a) Internal lot: ten feet; and
 - (b) Side yard setback abutting street: 30 feet.
- (9) Minimum distance between separate buildings on the same lot or parcel of land: 15 feet;
- (10) Minimum length of driveway pavement: From public right-of-way to building line or 30 feet whichever is greater;
- (11) Maximum building coverage as a percentage of lot area: 35%;

- (12) Maximum height of structures: 35 feet; and
- (13) Minimum number of paved off-street parking spaces required for:
 - (a) One single-family dwelling unit: two. An enclosed garage shall not be considered in meeting the off-street parking requirements; and
 - (b) All other uses: see §§ 159.60 through 159.68.

§ 159.24 (D) DUPLEX RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) 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.
- (2) The Duplex Residential District is established to provide adequate space and site diversification, duplex type residential development with two dwelling units per lot, and almost twice the density of a typical single-family development, and to adjust the area requirements accordingly.
- (3) Duplex type development is a low to medium density use, and additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met before development to such use.
- (4) Duplex developments are not necessarily a buffer between single-family and commercial uses, and should be properly buffered from nonresidential traffic, or from pollution and/or environmental hazards.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land in accordance with other adopted ordinances;
- (2) One single-family detached dwelling must meet the requirements of the SF-15 District;
- (3) One duplex on a lot with fire retardant walls, separate utility meters and separate sewer lines;
- (4) One accessory building not larger than 120 square feet of floor area nor taller than ten feet in height, used as an accessory to a residential use on the same lot;
- (5) Accessory buildings not larger than 100 square feet of floor area nor taller than ten feet in height, used as an accessory to a residential use on the same lot;
- (6) Temporary real estate sales offices located on property being sold, limited to the period of sale with a two-year initial period and one-year extension being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
- (7) Temporary on-site construction offices, limited to the period of construction, with a two-year initial period and one-year extension being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
- (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
- (9) All municipality owned or controlled facilities, utilities and uses;
- (10) Private residential swimming pool as an accessory to a residential use;
- (11) Home occupations;
- (12) Private unlighted residential tennis courts on the same lot as an accessory to a residential use;

(13) Temporary concentrate batching plants limited to the period of construction, upon approval of location and operation by the Building Official; and

(14) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units.

(C) Conditional uses: (require use permits, see § 159.43).

(1) Associated recreation and/or community clubs;

(2) Facilities for those utilities holding a franchise in the city;

(3) Private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;

(4) A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district; and

(5) Agricultural use.

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses;

(2) The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district;

(3) Any use of property that does not meet the required minimum lot sizes; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage, or density per gross acre as required; and

(4) Day care centers.

(E) Area requirements.

(1) Single-family detached units shall meet the area requirements of the SF-15 District;

(2) Minimum lot area: 15,000 square feet;

(3) Maximum number of single-family attached dwelling units per lot: two;

(4) Minimum square footage per each attached dwelling unit: 1,200 square feet;

(5) Minimum lot width: 90 feet at front building line;

(6) Minimum lot depth: 175 feet;

(7) Minimum depth of front setback: 30 feet;

(8) Minimum depth of rear setback: 25 feet;

(9) Minimum width of side setback:

(a) Abutting structures: separated by fire retardant walls: 0 feet;

(b) Internal lot: ten feet; and

(c) Side yard setback abutting street: 20 feet.

(10) Minimum distance between buildings on the same lot or parcel of land: 15 feet;

(11) Minimum length of driveway pavement from the public right-of-way on a side or rear yard: 20 feet;

- (12) Maximum height of structures: 35 feet;
- (13) Maximum building coverage as a percentage of lot area: 45% of lot area; and
- (14) Minimum number of paved parking spaces required for:
 - (a) Each attached residential dwelling unit: two spaces. An enclosed garage shall not be considered in meeting the off-street parking requirements; and
 - (b) All other uses: see §§ 159.60 through 159.68.

§ 159.25 (TH) TOWNHOUSE RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) The Townhouse Residential District is established to provide adequate space and site diversification for residential development that is single-family, on separate lots, and typically owner occupied.
- (2) The zone recognizes the difference between single-family detached and single-family attached dwelling units, and has adjusted the area requirements accordingly.
- (3) Areas zoned for this use shall have or provide for water and fire protection, wastewater, drainage, access to paved streets, and adequate open space should be met or provided for before zoning to this district.
- (4) Townhouse developments must be properly buffered from nonresidential usage and protected from high volumes of non-single family traffic, or from pollution and/or environmental hazards.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land, in accordance with all other adopted ordinances;
- (2) One single-family detached dwelling (other than zero lot line detached dwellings) shall meet the area requirements of division (E) below; and one single-family detached zero-lot line dwelling shall meet the area requirements of division (F) below;
- (3) Townhouses, attached; or patio homes, detached, with fire walls and zero-lot line;
- (4) Temporary real estate sale offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and a one-year extension being authorized by the Planning and Zoning Commission, such sales offices to be maintained at all times; and
- (5) One accessory building not larger than 120 square feet of floor area nor taller than ten feet in height, used as an accessory to a residential use on the same lot.

(C) Conditional uses (require use permits, see § 159.43).

- (1) Associated recreation and/or community clubs;
- (2) Facilities for those utilities holding a franchise in the city;
- (3) Paved parking facility for nonresidential uses that are not allowed in this district provided they are properly screened, buffered and landscaped;
- (4) Mobile construction offices;
- (5) Private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;
- (6) A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district;

- (7) Agricultural use; and
 - (8) Day care center and day nursery.
- (D) Prohibited uses.
- (1) Any building erected or land used for other than one or more of the preceding specified uses;
 - (2) The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district; and
 - (3) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width.
- (E) Area requirements.
- (1) Single-family dwellings (other than zero-lot line detached dwellings) and duplexes shall meet the area requirements of this division (E);
 - (2) Minimum lot area: 10,000 square feet;
 - (3) Maximum number of single-family attached dwelling units per lot: two;
 - (4) Minimum square footage per dwelling unit: The first floor of each attached dwelling unit shall contain at least 1,200 square feet of enclosed living space;
 - (5) Minimum lot frontage on a public street: 80 feet;
 - (6) Minimum lot depth: 100 feet;
 - (7) Minimum depth of front setback: 30 feet;
 - (8) Minimum depth of rear setback: 25 feet;
 - (9) Minimum width of side setback:
 - (a) Abutting structures: separated by fire retardant walls: 0 feet;
 - (b) Internal lot: 20 feet; and
 - (c) Side yard setback abutting street and arterial: 30 feet.
 - (10) Minimum separation between attached buildings: every 250 feet there shall be a minimum of 20 feet between buildings;
 - (11) Minimum distance between buildings on the same lot or parcel of land: 20 feet;
 - (12) Minimum length of driveway pavement from the public right-of-way from R.O.W. line to building line or 20 feet whichever is greater;
 - (13) Maximum height of structures: 35 feet;
 - (14) Maximum building coverage as a percentage of lot area: 45%;
 - (15) Minimum amount of permanent, landscaped open space: 10% of total lot;
 - (16) Minimum number of off-street parking spaces required for:
 - (a) One single-family attached or detached dwelling unit:
 - 1. Rear or side entry garage: two spaces; and

2. Front entry garage: two spaces. An enclosed garage shall not be considered in meeting the off-street parking requirements.

(b) All other uses: see §§ 159.60 through 159.68.

(17) All common walls shall be constructed of masonry or other fireproof material of ten-inch minimum thickness and extended from the finished floor level to two feet above the roof line.

(F) Area requirements; zero-lot line.

(1) The zero-lot line Townhome 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.

(2) Single-family zero-lot line detached dwellings shall meet the area requirements of this division (F);

(3) Lot area and density:

(a) Minimum lot area: 6,000 square feet; and

(b) Maximum density: no more than five dwelling units per acre.

(4) Minimum square footage per dwelling unit: The floor of each dwelling unit shall contain at least 1,500 square feet of enclosed living space;

(5) Minimum lot frontage on a public street, as measured at the platted front building line: 50 feet;

(6) Minimum lot depth as measured perpendicularly to the center point of the platted front building line: 90 feet;

(7) Minimum depth of front setback: 20 feet;

(8) Minimum depth of rear setback:

(a) Main building: 15 feet; and

(b) Accessory use: five feet. For a swimming pool: an additional one foot for every one foot of pool depth in excess of five feet.

(9) Minimum width of side setback:

(a) Zero lot line abutting adjacent side yard:

1. Main building, one side: zero feet; and

2. Accessory use: five feet. For a swimming pool: an additional one foot for every one foot of pool depth in excess of five feet.

(b) Internal lot:

1. Main building: side opposite zero setback: ten feet; and

2. Accessory use: five feet. For a swimming pool: an additional one foot for every one foot of pool depth in excess of five feet.

(c) Abutting street and arterial: 20 feet.

(10) Minimum length of driveway pavement from the public right-of-way or rear alley right-of-way: 20 feet;

(11) Maximum building coverage as a percentage of lot area: 50%;

- (12) Maximum height of structure: 36 feet; and
- (13) Minimum number of off street parking spaces:
 - (a) Rear or side entry: two spaces;
 - (b) Front entry garage: two spaces. An enclosed garage shall not be considered in meeting the off-street parking requirement; and
 - (c) All other uses: see §§ 159.60 through 159.68.

§ 159.26 (MF-8) HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT.

(A) Purpose.

(1) The (MF-8) High Density Multi-Family District is established to provide adequate space and site diversification for high density areas.

(2) This zone allows high density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space are met. MF-8 uses should not run traffic over long distances of single-family neighborhoods, and should be located close to arterials or collectors capable of carrying the additional traffic.

(3) Multi-family developments are not necessarily a buffer between single-family and commercial uses, and should be properly buffered from nonresidential land uses and traffic, or from pollution and/or environmental hazards.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land in accordance with other adopted ordinances;
- (2) One single-family detached dwelling must meet the requirements of the SF-15 District;
- (3) Duplexes meeting the requirements of the (DP) Duplex Residential District;
- (4) For one townhouse, or patio home per lot, structures must meet the area requirements of TH District;
- (5) Multiple-family dwelling units;
- (6) Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such office to be maintained at all times;
- (7) Temporary on-site construction offices limited to the period of construction, with a two-year initial period and one-year extension being authorized by the Planning and Zoning Commission, such office to be maintained at all times;
- (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
- (9) Home occupations;
- (10) Municipally owned or controlled facilities, utilities and uses;
- (11) Accessory recreational uses such as tennis courts, swimming pools, designed for use by residents of a specific project. Lighting for such uses shall be designed so as not to glare across property lines, nor glare into residential areas on the same property;
- (12) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official; and

(13) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units.

(C) Conditional uses (require use permits, see § 159.43).

(1) For associated recreation and/or community clubs, the uses shall be included in calculating the coverage requirements of this district;

(2) Facilities for those utilities holding a franchise in the City of Heath;

(3) Portable buildings on the same lot;

(4) Paved parking facilities for nonresidential uses not allowed in this district, if properly screened, buffered and landscaped;

(5) A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district;

(6) Day care centers;

(7) Agricultural use; and

(8) One storage building used as an accessory to a residential use on the same lot.

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses;

(2) The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district; and

(3) Any use of the property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre is required.

(E) Area requirements.

(1) Townhouses shall meet the requirements of the TH District;

(2) Duplexes shall meet the requirements of the DP District;

(3) Minimum site lot area, as defined herein: one acre;

(4) Minimum living area: 1,000 square feet;

(5) Maximum density per each acre: eight units/acre;

(6) Minimum lot frontage on a public street: 100 feet;

(7) Minimum lot depth: 100 feet;

(8) Minimum depth of front setback: 30 feet;

(9) Minimum depth of rear setback:

(a) One-story structure: 25 feet; and

(b) Two-story structure: 50 feet.

(10) Minimum width of side setback:

(a) Abutting a single-family, townhouse or duplex district:

1. One-story structure: 25 feet; and
2. Two-story structure: 50 feet.

(b) Internal lot: 20 feet; and

(c) Side yard setback abutting street or arterial: 30 feet.

(11) Minimum distance between buildings on the same lot or parcel of land:

(a) Ten feet from main to accessory buildings;

(b) Twenty feet for two main buildings with doors or windows in facing walls; and

(c) Fifteen feet for two main buildings without doors or windows in facing walls.

(12) Maximum building coverage as a percentage of lot area, as defined herein: 45%;

(13) Maximum height of structures: 36 feet;

(14) Minimum amount of permanent, landscaped open space: 20% of total lot area, as defined herein, with 30% of total requirement located in the required front yard as defined. All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes, and approved by the Building Official;

...

§ 159.27 (LR) LOCAL RETAIL DISTRICT REGULATIONS.

(A) Purpose. This chapter is intended to preserve the health, safety, morale and promote the general welfare of the residents of the city by creating regulations and construction standards for the establishment of local retail districts within the city. Particular consideration is given to the necessity of septic sewage systems, the regulation of density developments, the preservation of the rural environment, establishment of noise and site buffer zones, and promotion of quality development likely to hold its value and provide fire protection and safety.

(B) Permitted uses.

(1) Buildings within this district shall be restricted to the following uses: Retail stores, offices, photographic studios, financial institutions, restaurants, municipal buildings, grocery stores, medical and dental offices and clinics, dry cleaning establishments or pickup stations (excluding central dry cleaning plants), barber shops, beauty shops, drug stores, day care and mortuary or funeral chapel. Any high noise or industrial use is not permitted. All other uses are prohibited.

(2) Retail establishments may sell beer and wine for off-premise consumption pursuant to state law and Chapter 116 of the Code of Ordinances by right if they are located on property that was within the city limits as of May 12, 2012;

(3) Alcoholic beverage sales - see Chapter 116, Sale and Distribution of Alcoholic Beverages, of the city's Code of Ordinances.

(C) Conditional uses (require use permits, see § 159.43).

(1) Any form of drive-in or drive-through, including a service window for pick-up, associated with a retail establishment.

(2) Gasoline service station.

(3) Any form of gas fueling station associated with retail use.

(D) Required conditions.

(1) All business operations including storage shall be conducted within a completely enclosed building (except for off-street parking or loading). Sales displays shall be confined to the structures authorized in this chapter. Sales displays outside of the structures authorized in this chapter are prohibited, except by special temporary permit; and

(2) Any owner, builder or developer of a tract or parcel of land located within this district shall submit, prior to the issuance of a building permit, to the Planning and Zoning Commission for review and approval, a site building plan for the proposed development. The contents of this site and building plan shall comply with the requirements as specified in § 159.40 below. Upon approval, the development shall comply with approved site plan.

(E) Area requirements.

(1) Minimum lot area, as defined herein: one acre;

(2) Minimum site frontage on a public street: 100 feet;

(3) Minimum site depth: 200 feet;

(4) Minimum depth of front setback: 50 feet, without parking. First 20 feet shall be landscaped buffer with a minimum two and one-half foot earthen berm;

(5) Minimum width of side setback: 20 feet.

(6) Minimum depth of rear setback: 20 feet;

(7) Minimum distance between detached buildings on the same lot or parcel of land: 20 feet;

(8) Minimum requirement for construction:

(a) Structures: buildings shall have a concrete foundation and floor. Weightbearing walls shall be of masonry material. Non-weightbearing walls shall be constructed with metal studs;

(b) Roofing: shall be 100% noncombustible. Wooden shingles are prohibited;

(c) Exterior building facing: each building facing shall consist of 75% masonry materials; and

(d) Septic tank and lines shall not be under paved areas.

(9) Minimum square footage of building 1,200 square feet;

(10) Maximum square footage of building: 30,000 square feet;

(11) Maximum building coverage as a percentage of lot area, as defined herein: 40%;

(12) Maximum amount of impervious coverage as a percentage of lot area, as defined herein: 65%;

(13) Minimum amount of landscaped areas as a percentage of total lot area, as defined herein: 35%, with 50% of the total requirement located in the required front yard. All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes and approved by the building official;

(14) Minimum distance between landscaping berm and entrance: ten feet;

(15) Maximum height of structures: 25 feet. Any structure over 25 feet shall require a conditional use permit. If building height exceeds 25 feet, the building shall be set back an additional amount of one-half the height of

the building which exceeds 25 feet from all lot lines abutting residentially zoned property measured along a line equal to the median grade level;

(16) Minimum number of paved off-street parking spaces required: see §§ 159.60 through 159.68;

(17) Entrance and/or exit requirements: minimum of two;

(18) Lots with nonresidential uses that have a side or rear contiguous or separated only by an alley, or easement, from any residential district must be separated from such residential district by a masonry wall with a minimum height of six feet permanently maintained by the owner;

(19) Sidewalks shall be required along all streets with a minimum four-foot width. Access ramps to sidewalks for wheelchairs will be required; and

(20) The building code may impose more restrictive area requirements depending on the size, use and construction of the structures.

§ 159.28 (PD) PLANNED DEVELOPMENT DISTRICT.

(A) Purpose.

(1) The city has adopted a Comprehensive Plan which provides for: the maintaining of the current overall density in the city of one dwelling unit per developable of lot area, as defined herein; rezoning of the current agricultural and one-acre zoned areas allowing smaller lot sizes only on an exception basis; and generally maintaining the open, rural atmosphere of the city.

(2) This district is being adopted primarily to facilitate the goals of the Comprehensive Plan by providing the city a zoning district which allows the confirmation of developments proposed by applicants that have varying lot sizes within a given tract(s) of land and which fall between existing zoning categories. This district does not allow a greater number of residential lots than would otherwise be achieved by SF-43 zoning, but instead allows limited flexibility in lot sizes to accommodate particular topography and other natural conditions. The district does not permit mixing of residential and retail or commercial uses, as mixed use residential is not a land use established by the city's Comprehensive Plan.

(3) A planned development (PD) is generally on tracts of land of ten acres or more (but may be considered on smaller tracts) and may include a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity.

(4) The minimum required amount of acreage in a proposed project for which application for a Planned Development District is made shall be given consideration by the Planning and Zoning Commission with recommendations forwarded to the City Council. Other purposes of the district are to maintain conformity with the Comprehensive Plan, encourage creative development of the land, preserve the natural amenities of land, provide locations for well-planned comprehensive developments, and allow for variety and flexibility in the development patterns of the city.

(5) Although this district permits the flexibility of having different densities in different portions of the district, this district does not allow clusters of dense residential development but instead to facilitate maintenance of current overall density of one dwelling unit per developable acre as described in the Comprehensive Plan.

(6) The City Council is empowered to grant permits for planned developments only after review and recommendation by the Planning and Zoning Commission under the procedure established herein.

(B) Uses permitted. A Planned Development District may only be approved for a use or combination of uses provided for in the Zoning Ordinance including special use permits. The uses permitted in any specific Planned Development District shall be enumerated in the ordinance establishing the districts.

(C) Density and open space regulations.

(1) In accordance with the Comprehensive Plan, land that is classified within any floodplain, also referenced as the 100-year floodplain with fully developed conditions for the entire watershed, shall not be reclaimed nor included as lot area.

(2) To comply with the goals of the Comprehensive Plan, higher percentages of open space should be required as the density is increased or the lot sizes decreased.

(3) The designation of open space as improved, partially improved or unimproved shall be subject to the approval of the Planning and Zoning Commission. The designations shall be determined in consultation with the developer, preferably with on-site inspections and the Planning and Zoning Commission may divide a given area into two or more designations. In making this determination the Planning and Zoning Commission shall be guided by the following factors:

(a) The size and location of these areas in relation to the overall area of the Planned Development District;

(b) The degree to which these areas contribute to the quality, livability and amenity of the Planned Development District; and

(c) The degree to which the developer agrees to improve the land for active or passive recreational purposes.

(D) Area and other requirements.

(1) Except as otherwise provided in this section, area requirements for each use shall be within the maximum and minimum standards applicable to such use as if the use was situated in the zoning district to which it is most similar as determined by the Planning and Zoning Commission, or demonstrate that the intent of the standards has been met in accordance with good planning practices. The zoning district most similar to each use shall be stated in the granting ordinance. Also, in the Planned Development District, each use shall conform to the regulations of the zoning district to which it is most similar as determined by the Planning and Zoning Commission, and the Planned Development District shall conform to all other sections of the Zoning Ordinance, unless specifically excluded in the granting ordinance. All applications to the city 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).

(a) Average lot size shall remain 1 acre lot area, as defined herein.

(b) Minimum lot size shall be 0.5 acre of lot area, as defined herein.

(c) Lots less than 0.75 acre of lot area, as defined herein, shall constitute no more than 205% of total number of lots in any planned development and lots between 0.75 acre and 1 acre of lot area, as defined herein, should constitute no more than 15% of the total number of lots in any planned development.

(d) Lot area, as defined herein, may not be counted towards both residential and commercial or retail purposes. Portions of a development that will be used for commercial or retail purposes may not be included or credited towards residential density calculations.

(2) Modification of the area requirements contained in this section may be allowed by the Planning and Zoning Commission and the City Council when all of the following circumstances are met:

(a) The proposed modifications substantially meet the intent of the Zoning and Subdivision Ordinances;

(b) The proposed modifications help preserve the natural amenities of the land and/or are justified by unusual or unique characteristics of the subject property;

(c) The proposed modifications shall not be granted to relieve a self-created or personal hardship, nor for financial reason only.

....

§ 159.30 LAKE EDGE ZONING DISTRICT.

(A) This subchapter is hereby amended by the addition of this section as set out in its entirety in the document prepared by HNTB, Dallas, Texas, and attached hereto and incorporated herein and labeled Exhibit A.

...

(D) Any requested exception with respect to Exhibit A that pertain to architectural controls or standards shall be determined by the Building Official. An appeal of the Building Official's decision may be made to the Board of Adjustment, upon application being made by the applicant within ten days of the Building Official's decision. Any requested exception to the area requirements of Exhibit A, including setbacks, minimum lengths or widths, or other exception, shall be determined by the Planning and Zoning Commission and City Council.

GENERAL PROVISIONS

§ 159.40 SITE PLAN APPROVALS.

(A) Purpose. The purpose of the site plan is to ensure compliance with the Zoning Ordinance and to assist in the orderly and harmonious development of the city, to protect and enhance the general welfare, and to help prevent the impairment or depreciation of land values and development by the erection of structures, additions or alteration thereto without proper attention to site planning. The purpose of the site plan review is:

- (1) To ensure compliance with the zoning ordinance, while allowing for design flexibility;
- (2) To assist in the orderly and harmonious development of the city;
- (3) To protect adjacent uses from obstructions to light, air and visibility;
- (4) To provide protection from fire;
- (5) To avoid undue concentrations of population and overcrowding of land; and
- (6) To facilitate the adequate provision of transportation, water, sewage, drainage and other public requirements.

(B) When required. If, in the determination of the planning and Zoning Commission or City Council, a site plan is deemed necessary in order to elevate a proposed use, or as required under any other provision of this section, such site plan shall be submitted in the form and number as required by the Planning and Zoning Commission.

(C) Contents. The site plan shall contain drawings to scale to indicate as needed:

- (1) The location of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 feet;
- (2) Landscaping lighting and/or fencing and/or screening of yards and setback areas;
- (3) Design of ingress and egress;
- (4) Off-street parking and loading facilities;
- (5) Location of fire lanes;
- (6) Location of solid waste collection facilities;
- (7) Height of all structures;
- (8) Proposed uses;
- (9) The location and types of all signs, including lighting and heights;

- (10) Elevation drawings citing proposed exterior finish materials;
- (11) Street names on proposed streets; and
- (12) Additional information and detail as the Zoning Administrator deems necessary.

(D) Approval. The City Council, after review and recommendation by the Planning and Zoning Commission may approve a site plan if the proposed development meets all the minimum standards established in this subchapter and other applicable ordinances, and if the City Council finds that the proposed development will not be detrimental to the health, safety or welfare of the surrounding neighborhood or its occupants, or be substantially or permanently injurious to neighboring property. It shall disapprove or conditionally approve any application that fails to meet the above criteria or is in conflict with the Comprehensive Plan or the adopted growth policies of the city.

(E) Submission to Planning and Zoning Commission for review. The site plan shall be submitted to the City Secretary two weeks prior to the regularly scheduled Planning and Zoning Commission for review. The Building Official or his designee shall review these plans as quickly as possible, but in no case shall he or she delay submission beyond one Planning and Zoning Commission meeting.

...

§ 159.42 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words used in the present tense include the future; words in the singular number include the plural; and words in the plural number include the singular; the word "structure" includes the word "structure" includes the word "building"; the word "shall" or the word "must" is mandatory; the term "used for" includes the meaning "designed for" or "intended for;" the word "lot" includes the word "plot."

...

CLUSTER DEVELOPMENT. A method of development of land that uses variation in lot sizes without an increase in overall density of population or development.

...

DISTRICT OR USE DISTRICT. A zone or geographic area within the municipality within which certain zoning or development regulations apply.

...

FLOOR AREA RATIO. The relationship of the gross floor area of all buildings on a lot to the total lot area, as defined herein. Parking structures shall be excluded in the calculation of the FLOOR AREA RATIO.

...

LOT. An undivided tract or parcel of land that meets lot area requirements in the applicable use district having a frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer or improvement, which is designated as a distinct separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

LOT AREA, Area limited to land not located in any floodplain; land that does not constitute rivers, lakes, and streams; and/or land that is not located in any rights-of-way, including alley easements. Includes internal sidewalks, recreation areas, building coverage, parking area, and open space and utility easements.

...

NONCONFORMING USE, BUILDING or YARD. A lot, use, building, structure, or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal nonconforming lot, use, building, structure, or yard if established prior to the passage of this chapter and/or this ordinance.

...

FLOODPLAIN. Also referenced as the 100-year floodplain with fully developed conditions for the entire watershed. The area that is certified by a professional engineer to be within the 100-year floodplain, assuming build-out or fully developed conditions for the entire area within the relevant watershed.

...

RETAIL STORE. A retail establishment including small shops, small shopping centers, restaurants, and cafes.

RIGHT-OF-WAY. The surface of, and the space above and below a public street, road, highway, freeway, land, path, public way or place, alley, court, boulevard, parkway, drive, or other easement in which the city or any other governmental entity has any interest (including any street, as defined, which is acquired by eminent domain) and shall include other easements or rights-of-way now or hereafter held by the city or any governmental entity (including any easements or rights-of-way acquired by eminent domain).

...

§ 159.43 CONDITIONAL USE PERMITS; PERMIT REQUIREMENTS.

The purpose of the regulations described by this subchapter is to allow the compatible and orderly development, within the city, of uses that may be suitable only in certain locations in a zoning district, if developed in a specific way or only for a limited period of time.

...

§ 159.49 NONCONFORMING USES.

The general public, the City Council and the Planning and Zoning Commission are directed to take note that nonconformities in the lot, use, and/or development of land and buildings are to be avoided, or eliminated where now existing, wherever and whenever possible, except: when necessary to preserve property rights established prior to the date these regulations become effective as to the property in question; and when necessary to promote the general welfare and to protect the character of the surrounding property. Except as hereinafter specified, any lot, use, building, structure, or yard lawfully existing at the time of the enactment of this chapter or lawfully existing at the time of annexation into the city may be continued with the provisions of this chapter for the district in which it is located.

...

(J) Nonconforming lot sizes. Nothing in this chapter shall be construed to prohibit the use of a lot that does not meet the minimum lot area, as defined herein, width or depth of the district it is located in, provided that the lot was previously zoned for similar type uses, that the lot was on record prior to the adoption of this chapter, and that the lot has not been rezoned to a different use since the adoption of this chapter.

§ 159.50 WIND ENERGY SYSTEMS.

(A) Purpose. The purpose of this section is to regulate and to allow in appropriate zoning districts the safe, effective and efficient use of small wind energy systems installed to reduce the on-site production and consumption of utility supplied electricity while respecting the individual rights of all property owners. It is in the public interest to regulate the use of small wind energy systems in appropriate zoning districts consistent with the regulations hereinafter adopted.

...

(d) General regulations. The following general regulations must be demonstrated and apply to all wind energy systems within any district for which a permit, including a conditional use permit, is under consideration and/or granted.

(1) The proposed site of a wind energy system shall have sufficient access to unimpeded airflow for adequate operation of the wind energy system in accordance with the manufacturer's recommendations.

....

Section 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

Section 5. Severability. Should any section, subsection, sentence, clause, phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Heath hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 6. Penalty. Any person, firm, entity or corporation who violates any provision of this Ordinance or Heath's Zoning Ordinance Chapter 159, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding Two Thousand and No/100 Dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Heath from filing suit to enjoin the violation. Heath retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 7. Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption and penalty clause hereof as the law and Charter of the City in such cases provides.

Section 8. Open Meetings. That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Heath, Texas, on this the 11th day of December, 2018.



Kelson Elam, Mayor

ATTEST:



Norma Duncan, City Secretary



APPROVED AS TO FORM:



Wm. Andrew Messer, City Attorney



CITY of HEATH

Planning & Zoning Commission

Agenda Brief

MEETING DATE: 05/05/2026

AGENDA ITEM: 4.c

Item:

Conduct a Public Hearing and act on Case No. CUP-26-1 for a request from Timothy Wolf of Rockwall County EMS (Emergency Medical Services) for a Conditional Use Permit that would allow for an ambulance service on property located at 6834 S.FM 549, zoned (SF-43) Single Family Residential District, and being 1.025 acres, situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas.

Applicant:

Rockwall County Emergency Medical Service (EMS)

Owners:

Timothy Wolf

Current Zoning:

(SF-43) Single-Family Residential District

Requested Zoning Amendment:

Conditional Use Permit (CUP) to allow ambulance service within the SF-43 zoning district.

Background:

The Rockwall County Emergency Medical Services (EMS) is requesting a Conditional Use Permit that would allow for an ambulance service within the City of Heath. That said, Rockwall Emergency Medical Services (EMS) has been providing ambulance service for the City of Heath through various Condition Use Permits (CUP) since May 2016 from their current location at 6834 FM-549. The ambulance service operates as a dispatch service for Rockwall County and provides necessary emergency services for the citizens of Heath by reducing response times from this location. The location operates with one (1) emergency service vehicle to lessen impacts for the neighborhood and has provided the necessary screening as required.

A Conditional Use Permit (CUP) via Ordinance No. 241210C was approved by the City Council on December 10th, 2024, with certain conditions for improvements to the property. The CUP had an

expiration date of one (1) year from the date of approval with the stipulation that the permittee make application for consideration by the City Council for renewal or extension. Through the permitting process, the applicant had been working with staff to assure compliance with the construction of the paved parking area, installation of the driveway, the addition of the carport, and the landscape screening at the rear of the property. However, it was noted by staff that the CUP had expired, and that the applicant would need to re-apply in order to operate at this location. Additionally, it was discovered by staff that the provision for a Conditional Use Permit was no longer available in the City's current zoning ordinance.

After researching, staff had found Ordinance No. 160412D, which amended Chapter 159, Zoning, by allowing for an ambulance service with the approval of a Conditional Use Permit (CUP). Upon additional research, staff found that on December 18, 2018, the City Council approved an amendment to various sections of Chapter 159, "Zoning" for the purpose of amending technical corrections and amending certain land use provisions to align with the goals and objectives of the newly adopted 2018 Comprehensive Plan via Ordinance No. 181211B. This was considered a large overhaul of the code. In staff's memorandum, there are strike-throughs and underlines that represent changes/additions when amending code; however, this was evident when reviewing Section 159(C)(3) as it did not include "ambulance services contracted with the City of Heath" as a strike through or at all, it was non-existent. This is presumed to have been an oversight at that time, which effectively removed the language to allow "ambulance services" that had been approved by Ordinance No. 160412D.

Due to time constraints from information gathering, the City has allowed the applicant to operate under a Temporary Certificate of Occupancy (TCO) in good faith to allow the City Council to review the text amendment to the Chapter 159. If approved, that would reinstate the Conditional Use Permit (CUP) to allow for the ambulance service within the (SF-43) Single-Family Zoning District application to be considered.

Provided in Staff Report – December 10, 2024:

On September 11, 2024, the applicant, Amy Ramirez, representing the owner Timothy Wolf of Rockwall EMS, submitted an application requesting a Conditional Use Permit (CUP) to allow for an ambulance service contracted with the City of Heath to be located on the subject property. The ambulance service operates as a dispatch service for Rockwall County and has a main office located in the City of Rockwall. The applicant has indicated to staff that they intend to operate with one (1) emergency service vehicle at this location, which would have less impact for the neighborhood compared with the original concept of operating as the dispatch and main office that would house more employees and emergency service vehicles. This is also evident by the reduction in the size of the proposed garage from 2,475 SF to a proposed 750 SF carport. The subject property is a 1.025-acre tract of land situated in the E. Teal Survey, Abstract No. 207, Tract 11. The subject property is addressed as 6834 FM 549 and is located on the north side of FM 549, between Kings Pass and Bison Meadow Lane, at the intersection of FM 549 and Dennis Bailey Lane, and is zoned for single-family residential district land uses (i.e. SF-43).

On May 23, 2016, the City Council approved Ordinance No.16523C granting a Conditional Use Permit (CUP) for a term of 5 years, which expired on May 23, 2021. The ordinance stipulates that the applicant is to request an extension not less than 20 days prior to expiration (i.e. May 23, 2021). Staff is recommending a change to the timeline for an extension request by the applicant from 20 days to 90 days prior to expiration. This change will be included in the language of the draft ordinance and will be

effective upon approval by the City Council.

On February 12, 2019, the City Council approved Resolution No. 190212F granting a Special Exception for the construction of a 2,475 SF garage for the storage of emergency services vehicles meeting certain conditions and screening requirements. These conditions are listed below in the staff's report and are considered recommendations for approval of this current request. It was previously noted that Rockwall EMS had removed an existing attached garage with the intent of replacing it with the 2,475 SF garage approved by Resolution No. 190212F. This structure was not built. However, the applicant has provided building elevations that indicates a carport measuring 25-ft x 30-ft (i.e. 750 SF total area) and will house two (2) emergency service vehicles and be attached to the west side of the building. This is a reduction of 1,725 SF from the original concept of the garage structure.

Section 2 of Resolution No. 190212F states that the vegetative screen wall be planted with a combination of trees and shrubs and that the trees be planted on 40-ft centers with shrubs in-between the trees. This would require a minimum of four (4) trees. It should be noted that the applicant has provided approximately 12 shrubs along the rear property line for the landscape screen; however, there are no trees to complete the screening.

With this being said, the City of Heath notified Rockwall EMS on August 26, 2021, and informed Mr. Wolf that the Conditional Use Permit had expired and that it was necessary to apply for a new CUP to continue the ambulance service use on the subject property. On September 1, 2021, Rockwall EMS applied for a new CUP. On November 9, 2021, the City Council approved Ordinance No. 211109A granting a Conditional Use Permit (CUP) with conditions for a period of one (1) year with the ability to renew/extend the CUP to November 9, 2022.

The applicant made a request to renew the CUP, and on November 1, 2022, the Planning and Zoning Commission approved a motion by a vote of 3-2 to extend the CUP for three (3) months with the following conditions:

1. The final plat of the property must be approved by the City of Heath and filed with Rockwall County. The plat will be processed as a short form subdivision with administrative review and approval.
2. A complete grading and paving permit application must be submitted for review.
3. A complete building permit application for the garage must be submitted for review.

On December 13, 2022, the City Council denied the request to extend Ordinance No. 211109A for the ambulance service use. The denial was based on the applicant not meeting the conditions as established in Resolution No. 190212F and Ordinance No. 211109A. The staff informed Mr. Wolf on December 20, 2022, of the denial of the request and actions regarding enforcement. On January 9, 2023, the staff forwarded a notice of violation of the Conditional Use Permit (Ordinance No. 211109A) and compliance requirements per the City of Heath Code of Ordinances.

Summary of staff reports for November 2, 2021:

The original CUP application in 2016 was made as a response to citizen concerns of slow response time. When the original CUP application was considered in 2016, it was first heard by the P&Z on April 5, 2016, when it was denied with a unanimous vote. Responses in opposition were received from 6 property owners. No responses were received in support.

The City Council considered the application on April 12, 2016. During the public hearing, 7 residents

spoke at the public hearing in opposition. The City Council tabled the item and remanded the item back to the May 3, 2016, P&Z meeting for further consideration.

On May 3, 2016, P&Z considered the case for a second time. Prior to the May 3rd meeting, EMS representatives met with 17 residents in the area to address concerns. At the P&Z meeting, several members of the public spoke in opposition with one in favor. A motion was made to approve the application. That motion failed due to a lack of second. A second motion to deny the application was made and passed 4 to 2.

On May 23, 2016, the City Council considered the application for a second time with a super majority required to approve the application since it had been denied by P&Z. The mayor allowed residents to speak in support or opposition. Eight spoke in opposition. One spoke in favor. The Council ultimately approved the application with a unanimous vote.

During the term of the CUP, Rockwall EMS has removed an attached garage with the intent to replace it with a 2,475 square foot garage to house emergency response vehicles as approved with a Special Exception by Resolution No. 190212F. This construction has not taken place. The applicant has also been allowed to continue utilizing a gravel drive and parking area. There are no paved surfaces on the property.

Resolution No. 190212F states:

SECTION 1. *That the City does hereby grant a Special Exception for the construction of a garage structure for the storage of emergency response vehicles, with such structure having less than the required 80% exterior masonry coverage for the exterior walls, has been requested by Tim Wolf with Rockwall EMS, owner of the Property depicted in Exhibit "A" attached hereto, and in accordance with the building elevations and specifications substantially as shown in Exhibit "B" attached hereto.*

SECTION 2. *That a vegetative screen wall be planted with a combination of trees and shrubs, extending in an east to west direction, within an area measuring no less than fifteen (15) feet from the most northern edge of the new employee parking area as shown in Exhibit "B", with such trees:*

1. *Being planted on no less than forty (40) foot centers,*
2. *New tree plantings to be of a species listed in Exhibit "B",*
3. *Additional tree varieties to be approved as appropriate by the Building Official or designee, and*
4. *Existing trees located within the above referenced new employee parking area, as noted in the attached Exhibit "B," shall be credited to the tree-planting requirement, with such trees to be protected in accordance with Section 158.41 "Tree Protection," City of Heath, Code of Ordinances.*

SECTION 3. Shrub planting shall be installed between the trees in a manner that creates a linear vegetative screen that extends across the entire width of the subject property, with such shrubs being of an evergreen variety that grow to a mature height of twelve (12) feet.

Public Notification:

The required public notice was published in the Dallas Morning News on April 23, 2026. The staff also mailed a total of 51 notices to property owners within 500 feet of the subject property, posted the notice on the City's website and placed a sign on the property on this same date. As of the date of this report,

staff had received two (2) notice opposing the applicant's request.

Financial Impact:

None

Legal Impact:

None

Staff Recommendation:

Given the applicant has completed the construction to the site, staff would recommend approval of the CUP; however, this remains discretionary for the City Council pending a recommendation from the Planning and Zoning Commission.

Attachments:

- [Application.pdf](#)
- [Location Map \(CUP-26-1\) 04.23.2026.pdf](#)
- [Vicinity Map \[CUP-26-1\] \(04.23.2026\).pdf](#)
- [Sign Posted \(CUP-26-1\) 04.22.2026.pdf](#)
- [Dallas Morning News PUblished 04.23.2026.pdf](#)
- [Affidavit of Publication 04.23.2026.pdf](#)
- [Public Notice - Neighborhood Notice \[CUP-26-1\] \(04.23.2026\).pdf](#)
- [Addresses.pdf](#)
- [PON Ag 1708 Medow Lane.pdf](#)
- [PON Ag 6800 FM-549.pdf](#)
- [Site Plan.pdf](#)
- [Survey.pdf](#)
- [RCAD 12649.pdf](#)
- [Chapter 113 Ambulance Service.pdf](#)
- [Ordinance No. 160412D \(Published\).pdf](#)
- [Ordinance No. 181211B \(Published\).pdf](#)
- [Ordinance No. 260526x - CUP-26-1 \(Rockwall EMS\) v2.pdf](#)



CONDITIONAL USE PERMIT APPLICATION

	<u>APPLICANT:</u>	<u>OWNER (IF DIFFERENT):</u>
Name (printed):	<u>Rockwall County EMS</u>	<u>Timothy Wolf</u>
Mailing Address:	<u>PO Box 2125</u>	<u>1670 Avonlea</u>
	<u>Rockwall, TX 75087</u>	<u>Rockwall, TX 75087</u>
Telephone Number:	<u>972-772-4147</u>	<u>214-662-6100</u>
Email Address:	<u>a.ramirez@rockwallems.com</u>	<u>wolftj@mindspring.com</u>

ADDRESS OF PROPERTY INVOLVED: 6834 S FM 549, 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.

A0207 E TEAL, TRACT 11, ACRES 1.025

CURRENT ZONING OF THE PROPERTY: SF-43

COUNTY CAD PARCEL ID NUMBER: 12649

APPLICABLE CODE REFERENCE establishing the need for a CUP: § 159.43.C.,D.1

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>

Operation of county contracted 911 ambulance service

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

Ordinance No. 241210C **Expiration Date:** 12/10/2025

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

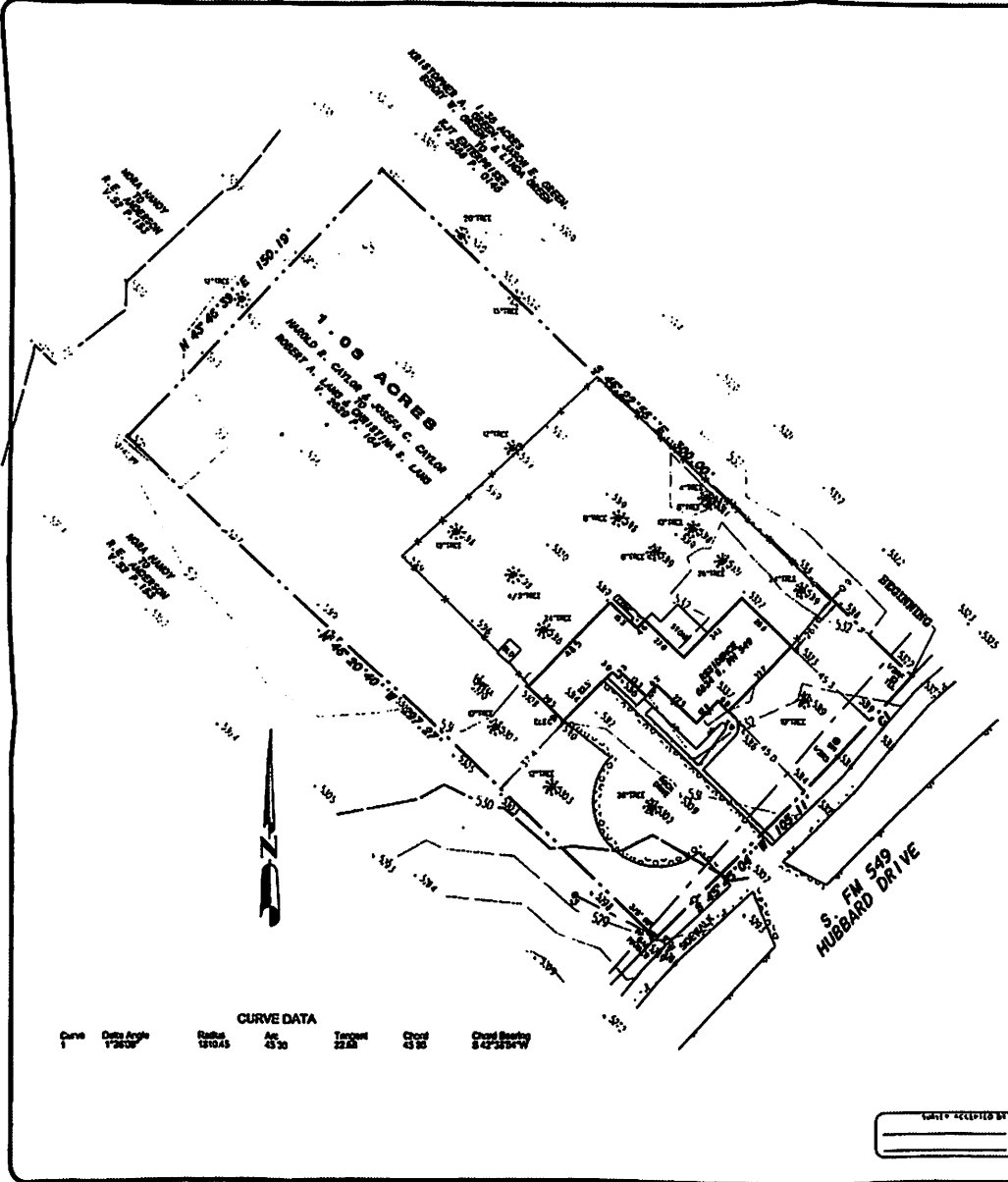
Notice of Public Hearing will be published in the Dallas Morning News, on the city website, and mailed to neighbors within 500' of the subject property describing the proposed action and requesting public input. A zoning change sign will also be placed in the property's front yard.

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: 04/17/2026

OWNER SIGNATURE:  DATE: 04/17/2026

<p>CITY OFFICE USE ONLY:</p> <p>Fees paid \$ _____ Check # _____ CC _____ Cash _____</p> <p>P&Z Hearing Notice Published & Mailed (10 days prior): _____</p> <p>P&Z Public Hearing: _____</p> <p>City Council Notice Published (15 days prior): _____</p> <p>City Council Public Hearing: _____</p>
--



CURVE DATA

Curve	Data Angle	Radius	Ac.	Tangent	Chord	Chord Bearing
1	1728.00'	1310.45	43.30	22.81	43.36	S 42° 31' 00\"/>

DATE RECEIVED BY _____ DATE _____

DESCRIPTION

All that certain lot, tract or parcel of land situated in the EDWARD TEAL SURVEY, ABSTRACT NO. 277, City of Heath, Rockwall County, Texas, and being 27 of a 1120 acre tract of land as described in a Warranty deed from Harold R. Caylor and Jessica C. Caylor to Robert A. Lang and Christine S. Lang, dated August 18, 2004 and being recorded in Volume 2628, Page 184 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Northwest right-of-way line of D. F. M. Highway 543, said point being at the East corner of said 1.025 acre tract and being the South corner of a 1.39 acre tract of land as described in a Warranty deed from Christopher A. Green, Jason B. Green, Stacy W. Green and Linda Green to R.J.T. Enterprises, dated June 03, 2002 and being recorded in Volume 2568, Page 148 of the Official Public Records of Rockwall County, Texas;

THENCE in a Southwesterly direction along a curve to the right having a central angle of 01 deg. 26 min. 00 sec., a radius of 1010.45 feet, a tangent of 22.81 feet, a chord of S. 43 deg. 14 min. 50 sec. W. 43.36 feet from said right-of-way line, an arc distance of 43.36 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 46 deg. 21 min. 00 sec. W. along east right-of-way line, a distance of 103.11 feet to a 1/2" iron rod found for corner at the South corner of said 1.025 acre tract;

THENCE N. 45 deg. 44 min. 44 sec. W. a distance of 237.27 feet to a 1/2" iron rod found for corner;

THENCE N. 44 deg. 22 min. 33 sec. E. a distance of 190.19 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 45 deg. 47 min. 00 sec. E. (Containing bearing line) along the Northeast line of said 1.025 acre tract and the Southwest line of said 1.36 acre tract, a distance of 500.00 feet to the POINT OF BEGINNING and containing 1.00 acre of land.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel No. 480545 0005 A, dated February 1, 1980, the property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 2628, P. 184, O.P.A.R.C.T.
- 3) ALL 1/2" IRs ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034"

SURVEYORS CERTIFICATE

I, Harold D. Pally, II, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of land was prepared by JAMES R. SOGA CLAWSON/HEALTH TITLE COMPANY and CECILY ROSE FLYNN/ROSE & FLYNN, Heath, Rockwall County, Texas, as the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey complies with the requirements of the American Society of Professional Land Surveyors and published by the Texas Board of Professional Land Surveying, effective September 1, 1982 and subsequent revisions, and the same was surveyed under my supervision on the ground the 10th day of NOVEMBER, 2007.

[Signature]
Harold D. Pally, II, R.P.L.S. No. 5034

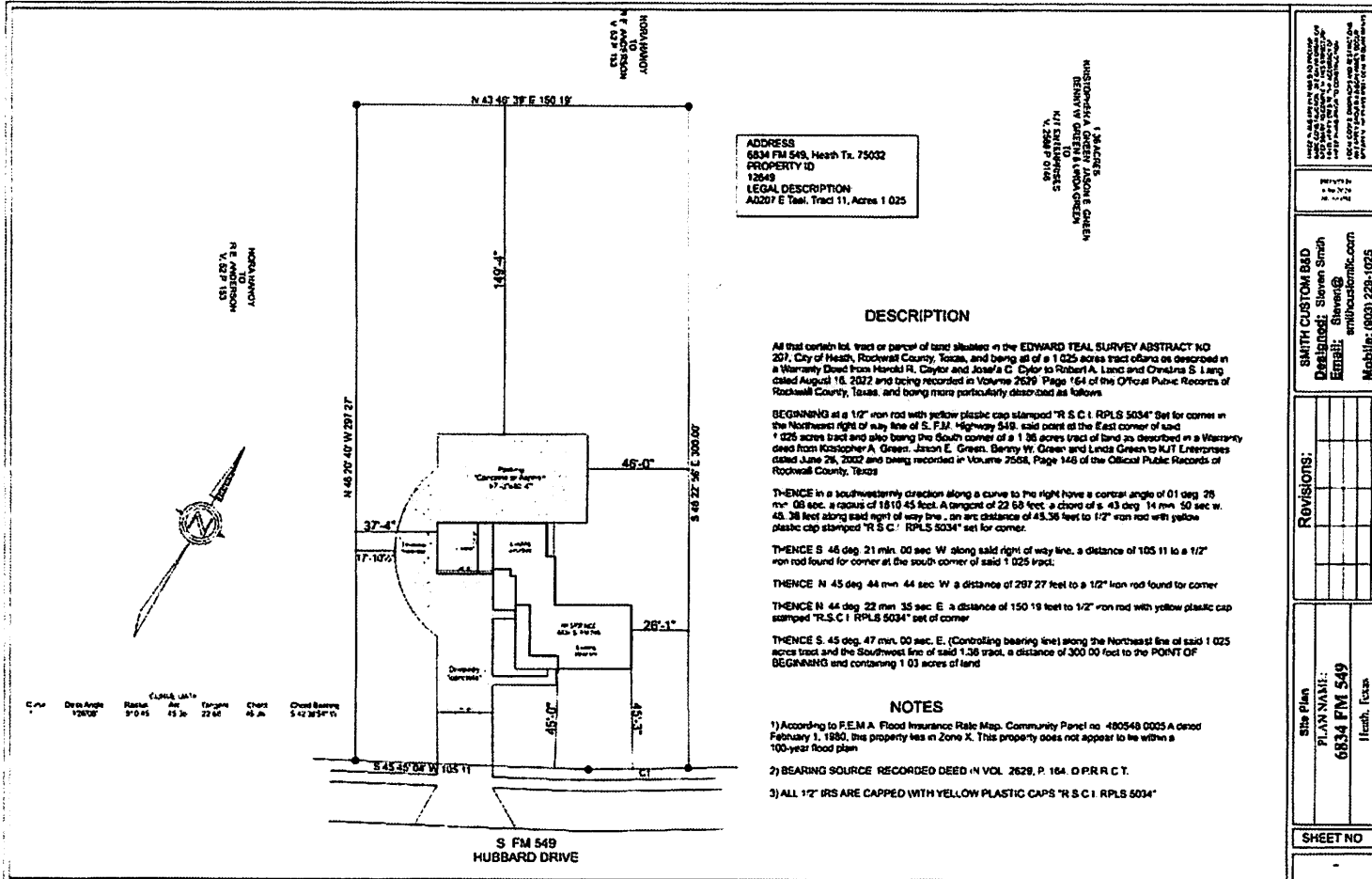


SYMBOL LEGEND

(Symbol)	1/2" IR	1/4" IR	3/8" IR	1" IR	2" IR	4" IR	6" IR	8" IR	10" IR	12" IR	14" IR	16" IR	18" IR	20" IR	24" IR	30" IR	36" IR	42" IR	48" IR	54" IR	60" IR	66" IR	72" IR	78" IR	84" IR	90" IR	96" IR	102" IR	108" IR	114" IR	120" IR	126" IR	132" IR	138" IR	144" IR	150" IR	156" IR	162" IR	168" IR	174" IR	180" IR	186" IR	192" IR	198" IR	204" IR	210" IR	216" IR	222" IR	228" IR	234" IR	240" IR	246" IR	252" IR	258" IR	264" IR	270" IR	276" IR	282" IR	288" IR	294" IR	300" IR	306" IR	312" IR	318" IR	324" IR	330" IR	336" IR	342" IR	348" IR	354" IR	360" IR	366" IR	372" IR	378" IR	384" IR	390" IR	396" IR	402" IR	408" IR	414" IR	420" IR	426" IR	432" IR	438" IR	444" IR	450" IR	456" IR	462" IR	468" IR	474" IR	480" IR	486" IR	492" IR	498" IR	504" IR	510" IR	516" IR	522" IR	528" IR	534" IR	540" IR	546" IR	552" IR	558" IR	564" IR	570" IR	576" IR	582" IR	588" IR	594" IR	600" IR	606" IR	612" IR	618" IR	624" IR	630" IR	636" IR	642" IR	648" IR	654" IR	660" IR	666" IR	672" IR	678" IR	684" IR	690" IR	696" IR	702" IR	708" IR	714" IR	720" IR	726" IR	732" IR	738" IR	744" IR	750" IR	756" IR	762" IR	768" IR	774" IR	780" IR	786" IR	792" IR	798" IR	804" IR	810" IR	816" IR	822" IR	828" IR	834" IR	840" IR	846" IR	852" IR	858" IR	864" IR	870" IR	876" IR	882" IR	888" IR	894" IR	900" IR	906" IR	912" IR	918" IR	924" IR	930" IR	936" IR	942" IR	948" IR	954" IR	960" IR	966" IR	972" IR	978" IR	984" IR	990" IR	996" IR	1000" IR
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R.S.C.I.
ROCKWALL SURVEYING, P.C. LAND SURVEYING
1500 S. FM 549, ADRIAN CITY, TX 75109 972-378-6004 PHONE3 972-378-0440 FAX

Exhibit 'B' - Site Plan



CUP-2024-09 (SF-43) Rockwall EMS
 6834 S. FM 549 (RCAD No. 12649)

Exhibit 'C' - Building Elevations

Front Elevation Scale: 1" = 10'-0"

Right Elevation Scale: 1" = 10'-0"

Left Elevation Scale: 1" = 10'-0"

Rear Elevation Scale: 1" = 10'-0"

GENERAL NOTES:

Builder responsible for compliance with all federal, state and local building codes, ordinances and deed restrictions.

Safety glass per code. Weatherstripping attic access door(s).

Stairs and handrails per code. Gypsum board a requirement on all surfaces under stairs (IRC R314.8). Any projections that extends to less than five ft from a property line is required to have a one hour fire rating, this includes soffits and projections.

Brick edges to be 5/16" Angles to be 45 Degrees unless noted otherwise. Dimensions To Edge of Interior Walls and Outside of Bricks at Exterior Walls.

All Non-Load Bearing interior wall studs to be 24" O.C.

All Soffits when and braced off of must be raftered 1/12" from top plate. Block between studs @ all rates of 2x material at

<p>THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ANY REVISIONS TO THIS DRAWING MUST BE MADE IN ACCORDANCE WITH THE ARCHITECT'S WRITTEN PERMISSION.</p>	
<p>SMITH CUSTOM BLD DRAWING: Steven Smith Email: smith@smithcustom.com Mobile: (803) 229-1025</p>	
Revisions:	
Elevation	PLAN NAME:
	6834 FM 549
	Health, Texas
SHEET NO	
A-2	

CUP-2024-09 (SF-43) Rockwall EMS
 6834 S. FM 549 (RCAD No. 12649)

Location Map – CUP-26-1



Vicinity Map
(Not to scale)

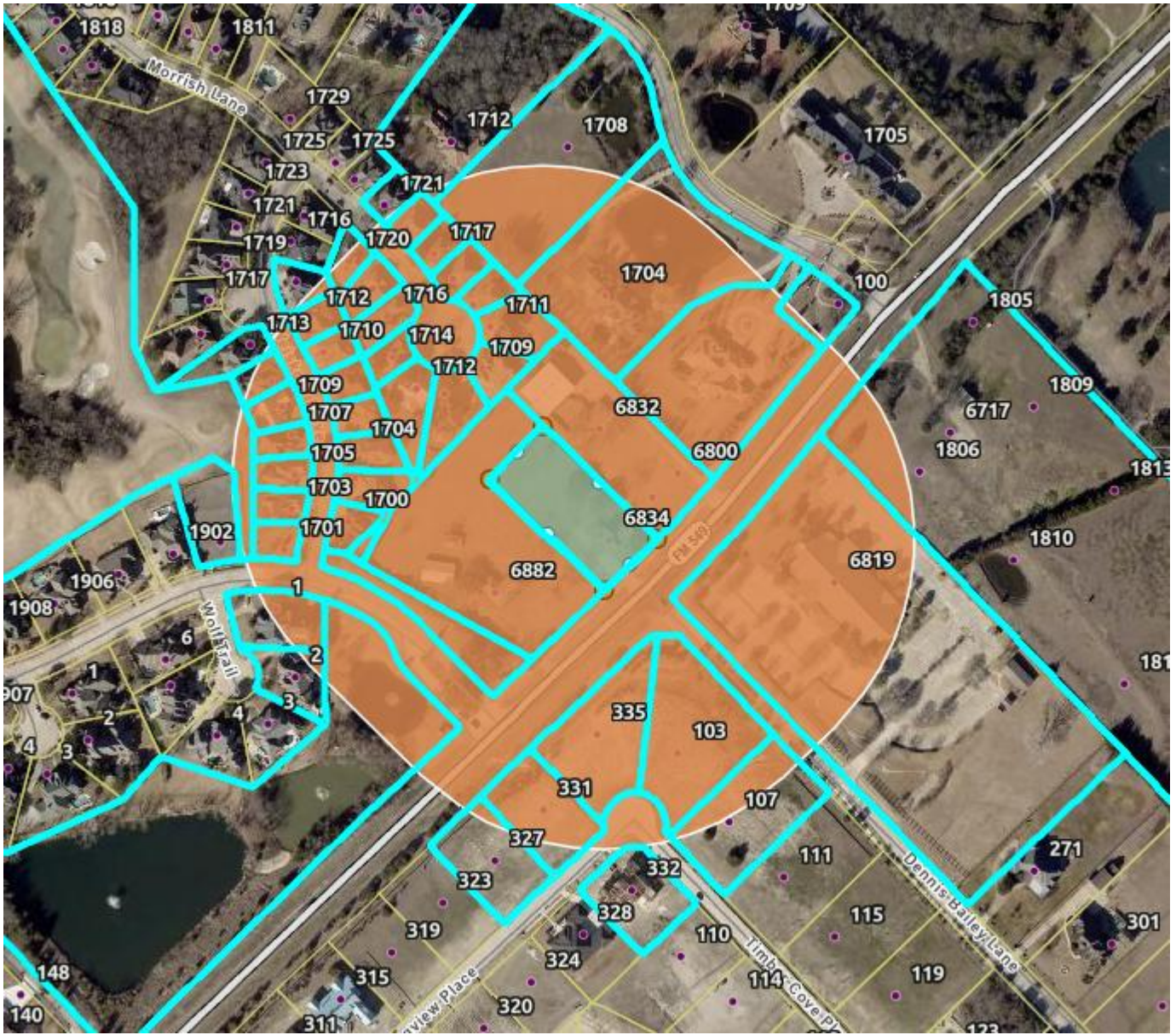
6834 FM 549 S

Being a 1.025-acre parcel of land identified as A0207 E Teal, Tract 11, and addressed as 6834 FM, City of Heath, Rockwall County, Texas.



North Arrow





Vicinity Map



Public Hearing Notice Map

Conduct a public hearing and act on Case No. CUP-26-1 for a request from Timothy Wolf of Rockwall County EMS (Emergency Medical Services) for a Conditional Use Permit that would allow for an ambulance service contracted with the City of Heath on property located at 6834 S.FM 549, zoned (SF-43) Single Family Residential District, and being 1.025 acres, situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas.





 CITY OF HEATH

Site of Proposed Rezoning

For Information:
www.heathtx.com
972-771-6228

Classified Marketplace

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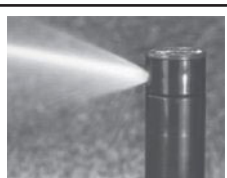
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Legal Bids & Proposals

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PROCUREMENT ADVERTISEMENT
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at <https://dallascityhall.bonfirehub.com>
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Fridays and can be viewed on the City of
Dallas website at www.dallascityhall.com
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of public opening are listed below. Bid
Packages may be obtained by downloading
from <https://dallascityhall.bonfirehub.com>.

BH26-00029310 - Sand Trap, Grease Trap,
Septic Tank, Storm Vault & Interceptor
Cleaning and Disposal Services - Com-
modity Codes - 670, 910 (Bids Due on
05/15/2026, Bid Reading on 05/15/2026)

BE26-00029998 - Rental and Purchase of
Mobile Office Buildings - Commodity Code
- 97140 (Bids Due on 05/08/2026, Bid
Reading on 05/08/2026)

BU26-00030081 - Electric Switchgear -
Commodity Code - 28567 (Bids Due on
05/29/2026, Bid Reading on 05/29/2026)

BR(26)-00030114 - Building Materials,
Lumber, and Accessories - Commodity
Code - 15000 (Bids Due on 05/01/2026,
Bid Reading on 05/01/2026)

BT26-00029808 - Emergency Generator
Repair - Commodity Code - 93639 (Bids
Due on 05/15/2026, Bid Reading on
05/15/2026) IPLDMM0135670

PO#1233-0002 / DO#1223402
CITY OF DALLAS
ADVERTISEMENT
REQUEST FOR COMPETITIVE SEALED
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until 1:00 pm on Fridays. All Proposers' company name(s) will be read
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and can be viewed on the City of Dallas
website at www.dallascityhall.com (see
City Meetings). Proposals' titles and dates
of public reading are listed below. Proposal
Packages may be obtained by downloading
from <https://dallascityhall.bonfirehub.com>.

BH26-00030178 Demolition Services
Commodity Code - 913, 91338, 91047,
91240, 91244 (Bids Due on 05/29/2026,
Bid Reading on 05/29/2026) IPLDMM0136834

PO#1265-0002 / DO#1223413
CITY OF DALLAS
CONSTRUCTION ADVERTISEMENT
REQUEST FOR QUALIFICATIONS

Request for Qualifications are required to
be submitted electronically via the City of
Dallas' solicitation website at <https://dallascityhall.bonfirehub.com>
until 5:00 PM on Fridays. Request for Qualifications
received will be publicly read at 2:00 PM
on Fridays and can be viewed on the City of
Dallas' website at www.dallascityhall.com
(see City Meetings). Solicitation title,
department, and date of public reading
are listed below on the City of Dallas'
solicitation website at <https://dallascityhall.bonfirehub.com>. Unless otherwise noted
in the description below, the packet, plan,
and specification may be obtained from
<https://dallascityhall.bonfirehub.com>.
Submittals will not be accepted after the
due date/time and hard copy submittals
are not permissible.

- C1225-BCM-3225 - Moody Performance
Hall and Latino Cultural Center

The City of Dallas, through its Office of
Bond and Construction Management
(BCM), is requesting Qualifications
Statements from registered City of Dallas
("City") vendors through solicitation
C1226-BCM-3225 to provide architectural,
engineering and related professional ser-
vices for design and construction admin-
istration for building envelope renovations
to the Moody Performance Hall located at
2520 Flora Street, and the Latino Cultural
Center located at 2600 Live Oak Street,
respectively.

Pre-Submittal Meeting: A virtual Pre-Submittal
Meeting will be held on Thursday, April
30, 2026, at 11:00 AM. This meeting is for
general information purposes. Attendance
is encouraged but not mandatory.

Join: [https://teams.microsoft.com/
meet/2872123253646476?p=8GqUzqrD-
qxQftoYo](https://teams.microsoft.com/meet/2872123253646476?p=8GqUzqrD-qxQftoYo)
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Passcode: yPP9B2oR
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Questions Due Date/Time: Thursday, May
7, 2026, at 4:00 PM
Solicitation Due Date/Time: Friday, May 15,
2026, at 1:00 PM
Open/Reading Date/Time: Friday, May 15,
2026, at 2:00 PM. IPLDMM0136840

Legal Bids & Proposals

PO# 1233-0001 / DO# 1223393
CITY OF DALLAS
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read live on Dallas TV 16 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
Packages may be obtained by downloading
from <https://dallascityhall.bonfirehub.com>.

BC26-00029656 Janitorial Supplies, Trash
Bags, and Liners-Commodity Codes:
48500, 48505, 66524, 48575, 48675,
48664, 48655, 48594, 48665, 48694,
48600, 48566, 08510 (Bids Due on
05/29/26, Bid Reading on 05/29/26) IPLDMM0136828

PO#1265-0001 / DO# 1223425
CITY OF DALLAS
CONSTRUCTION ADVERTISEMENT
REQUEST FOR COMPETITIVE SEALED
PROPOSALS

Competitive Sealed Proposals are required
to be submitted electronically via the City
of Dallas' solicitation website at <https://dallascityhall.bonfirehub.com> by 1:00 PM
on Fridays. All bids will be publicly read at
2:00 PM on Fridays and can be viewed on
the City of Dallas' website at www.dallascityhall.com (see City Meetings). Bid title,
department, and date of public reading are
listed below and on the City of Dallas' so-
licitation website at <https://dallascityhall.bonfirehub.com>. Unless otherwise noted in
the description below the bid packet may
be obtained from <https://dallascityhall.bonfirehub.com>.
Submittals will not be accepted after the
due date/time and hard copy submittals
are not permissible.

**C1226-PKR-3231 - Renovation of Park and
Recreation Facilities: Kiest Park; John C.
Phelps; and Tommie M. Allen**

Renovation of three (3) recreation centers,
including Kiest Park Recreation Center,
John C. Phelps Recreation Center, and
Tommie M. Allen Recreation Center,
consisting of interior and exterior im-
provements including but not limited to
landscaping, hardscape, shade structures,
structural modifications, roofing and
drainage improvements, kitchen and re-
storroom renovations, accessibility upgrades,
reception and fitness area improvements,
and associated mechanical, electrical, and
plumbing modifications throughout. Work
also includes miscellaneous architectural,
structural, and site improvements as in-
dicated in the construction documents.

Park and Recreation Department, 1500
Marilla, Room 6FS, Dallas, TX, 75201.
Proposers are strongly encouraged to attend a pre-proposal
conference held in person on Friday,
May 1, 2026,

from 9:00 AM - 10:30 AM (CDT) at City
Hall, 1500 Marilla, Room LFIN Auditorium,
Dallas, TX
75201, with site walks immediately
following from 10:30 AM - 2:30 PM (CDT)
at the three (3) project sites, Kiest Park
Recreation Center (3081 S. Hampton
Rd., Dallas, Texas 75224), John C. Phelps
Recreation Center (3080 Tips Blvd.,
Dallas, Texas 7521), and Tommie M. Allen
Recreation Center (7071 Bonnie View Rd.,
Dallas, Texas, 75241).

The Request for Competitive Sealed
Proposals documents may be obtained
beginning Monday,
April 27, 2026 from the Bonfire Procure-
ment Portal. Go to:
<https://dallascityhall.com.bonfirehub.com>.
Please register for the project information
updates/addendums by emailing your
contact information to the Park and Recreation
Project
Manager: Kamil Miskowiec, RA, kamil.
miskowiec@dallas.gov
Question Due Date/Time: Tuesday, May 19,
2026, at 5:00 PM
Bid Due Date/Time: Friday, May 22,
2026, at 1:00 PM
Open/Reading Date/Time: May 22, 2026,
at 2:00 PM.

**TEXAS WATER DEVELOPMENT BOARD
UNITED STATES IRON AND STEEL (USIS)
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Description of Proposed Work:
Renovation of three (3) recreation centers,
including Kiest Park Recreation Center,
John C. Phelps Recreation Center, and
Tommie M. Allen Recreation Center,
consisting of interior and exterior im-
provements including but not limited to
landscaping, hardscape, shade structures,
structural modifications, roofing and
drainage improvements, kitchen and re-
storroom renovations, accessibility upgrades,
reception and fitness area improvements,
and associated mechanical, electrical, and
plumbing modifications throughout. Work
also includes miscellaneous architectural,
structural, and site improvements as in-
dicated in the construction documents
Contract award is contingent upon a
release of funds from the Texas Water
Development Board (TWDB). IPLDMM0136837

Legal/Public 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, April 14, 2026.

ORDINANCE NO. 4214-4-26: 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 RELATING TO THE DEVELOPMENT AND USE OF 2.0977H ACRES LOCATED IN THE G. W. FORD SURVEY, ABSTRACT NO. 328, BY GRANTING A CHANGE IN ZONING FROM "A-6" AGRICULTURE-OPEN SPACE DISTRICT TO PLANNED DEVELOPMENT "PD" NO. 154 FOR "R-6" SINGLE-FAMILY RESIDENTIAL DISTRICT; ADOPTING DEVELOPMENT REGULATIONS, A ZONING EXHIBIT, A CONCEPT PLAN, AND A LANDSCAPE/OPEN SPACE PLAN; 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
IPLDMM0135683

**CITY OF ROWLETT, TEXAS
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of the City of Rowlett, Texas (the "City") at 7:00 p.m. on May 5, 2026, at the City Hall Municipal Building, 4000 Main Street, Rowlett, Texas 75088. The public hearing will be held to consider proposed assessments to be levied against certain assessable property within Neighborhood Improvement Area #2 and Neighborhood Improvement Area #3 (jointly, "Neighborhood Improvement Areas #2-3") of the Trails at Cottonwood Creek Public Improvement District (the "District") pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the "Act").

The general nature of the proposed public improvements include the design, acquisition, construction and improvement of public improvement projects authorized by the Act that are necessary for the development of the Property (defined below), in phases, which include (collectively, the "Authorized Improvements") (a) acquisition, construction and improvements, and maintenance of the improvements, consisting of (1) landscaping; (2) erection of fountains, distinctive lighting and signs; (3) acquiring, constructing, improving, widening, narrowing, closing or rerouting of sidewalks or of streets, any other roadways, or their rights-of-way, including related landscaping, lighting, traffic control devices, screening walls and retaining walls; (4) construction or improvement of pedestrian malls; (5) acquisition and installation of pieces of art; (6) acquisition, construction or improvement of off-street parking facilities; (7) acquisition, construction or improvement of water, wastewater or drainage facilities or improvements; (8) the establishment or improvement of parks; (9) projects similar to those listed in (1)-(8); (10) acquisition, by purchase or otherwise, of real property or contract rights in connection with an Authorized Improvement; (11) special supplemental and maintenance services for improvement and promotion of the District, including services relating to advertising, promotion, health and sanitation, water and wastewater, roadways, public safety, security, business recruitment, development, recreation and cultural enhancement and (b) the payment of expenses incurred in the establishment, administration and operation of the District, including maintenance costs, costs of issuance, funding debt service and capitalized interest reserves and credit enhancement fees of any bonds issued by or on behalf of the City or the District and secured by assessments levied against the property in the District that benefit from such Authorized Improvements (the "Property"). The Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property. The estimated total costs of the Authorized Improvements benefitting Neighborhood Improvement Areas #2-3 is \$26,912,382.

The boundaries of the District include approximately 226.58 acres of land generally located at the northeast corner of Vinson Road and Stonewall Road, and as more particularly described by a metes and bounds description available for public inspection at the City Secretary's office in the City Hall Municipal Building located at 4000 Main Street, Rowlett, Texas 75088.

All written or oral objections to the proposed assessments within Neighborhood Improvement Areas #2-3 will be considered at the public hearing.

Copies of the Proposed Assessment Rolls relating to the Authorized Improvements to be undertaken at this time, which includes the assessments to be levied against certain assessable property within Neighborhood Improvement Areas #2-3, are available for public inspection at the City Secretary's office in the City Hall Municipal Building located at 4000 Main Street, Rowlett, Texas 75088. IPLDMM0135008

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Newark Higher Education Finance Corporation (the "Corporation"), a nonprofit corporation created by the City of Newark, Texas pursuant to Chapters 53 and 53A, Texas Education Code, will hold a public hearing on May 5, 2026, commencing at 10:00 a.m. to provide an opportunity for all interested persons to be heard with respect to its proposed bonds, in one or more series pursuant to a plan of finance (qualified 501(c

DALLAS

Texas Baptists wants to review ties with Baylor

Move comes after university OK'd LGBTQ advocates to speak at an event

By ISABELLA VOLMERT
Staff Writer
isabella.volmert@dallasnews.com

Texas Baptists leadership says it wants to review its relationship with Baylor University after LGBTQ Christian advocates were scheduled to speak at an event on campus Wednesday night as part of a student-led event.

Executive director Julio Guarneri shared with churches Friday that he will ask leadership at an upcoming board meeting to “begin a conversation” about Texas Baptists’ 140-year-old relationship with Baylor University, a spokesperson said in a statement.

“Dr. Guarneri said that while we value the deep, historic bond Baylor University and Texas Baptists have shared for 140 years, and the present ministry taking place on campus through avenues like our own Baptist Student Ministry (BSM), we also remain unwavering in our commitment to Biblical sexuality,” Kalie Lowrie, director of communications, said.

Titled “All Are Neighbors,” the event is organized by College Democrats of Baylor, Baylor’s NAACP chapter and Texas Rising, who have said the interfaith event is meant to promote dialogue and celebrate joy.

The scheduled speakers include Kelley Robinson, a Catholic and president



File photo/Staff

Executive director Julio Guarneri said he wants to review the relationship with the Texas university, which approved LGBTQ advocates to speak at a student-led event.

of LGBTQ advocacy group Human Rights Campaign who is the first Black, queer woman to hold her position, according to her online biography, and Paul Raushenbush, a Baptist minister and president of social justice nonprofit Interfaith Alliance who is openly gay.

Organizers are billing “All Are Neighbors” as a counter event, rooted in faith, to Turning Point USA, the conservative youth political group founded by Charlie Kirk, which is hosting a “This is

the Turning Point” tour stop on the same night.

In an interview, Raushenbush said that the event is exploring the question, “what does it mean to take seriously that all are neighbors?” He described the event as one of “celebration” and “love.”

“There’s sadness that my life, my testimony and my work gives them a kind of pause,” he said.

The private Christian university in Waco has long denounced same-sex re-

lationships and said its stance is that heterosexual relationships are the “biblical norm.” While all students are welcome to attend, the school’s policies say it expects students “will not participate in advocacy groups which promote understandings of sexuality that are contrary to biblical teaching.”

Lowrie said in a statement that Texas Baptist leadership also heard concerns from church leadership about the Turning Point USA event.

Commonly known as Texas Baptists, the Baptist General Convention of Texas issued a statement April 10 saying that many of its members have “strong concerns” about the “All Are Neighbors” alternate event. Texas Baptists are a state convention of the Southern Baptist Convention.

“We value our longstanding partnership with Baylor University and remain wholly committed to our long-held view of Biblical sexuality,” the statement said.

A university spokesperson said earlier this month that Baylor does not “institutionally endorse the views of speakers at these events or other individuals invited to speak by student organizations.” The university said it worked with student organizers with both Turning Point USA and the “All Are Neighbors” event to “align their events with institutional policies and procedures.”

Baylor University spokesperson Lori Fogleman did not respond when asked for additional comment Tuesday.

In 2011, Texas Baptists and Baylor University agreed to review their relationship every ten years, and the two institutions most recently completed a review in 2023. In a news release at the time, the two “deemed no changes are necessary.”

According to the news release, Texas Baptists provides the university with \$1.3 million annually for the George W. Truett Theological Seminary, Baptist Student Ministry activities, and for financial aid for pastors and ministers.

UNIVERSITY PARK

Bakery supporting people with disabilities to close

Super Duper Cookie employed 20 people for the last two years

By SARAH BLASKOVICH
Staff Writer
sblaskovich@dallasnews.com

Super Duper Cookie Co., a shop in University Park that employs people with disabilities, will close May 1, 2026.

“Come see us one last time,” the company posted to Instagram.

After serving Dallas for two years near Southern Methodist University, the shop is closing because of an unsustainable “social enterprise model,” said company founder Benjamin L. Crosland in an email. “Our product price relative to rent and other costs just made it so that we had to shutter our doors.”

During its time in business, Super Duper Cookie employed 20 people with intellectual

and/or developmental disabilities.

Super Duper sells cookies in a 1970s-themed restaurant. Its employees are called “boogie guides,” and they contribute to “every aspect of our business,” the website says, from baking cookies to assisting customers to making this groovy shop a fun place to visit.

“By giving our BG’s [that’s Boogie Guides] a lot of choices, they have the chance to learn what they love and what they are best at,” the website says. “Then they can practice — gaining employment skills they can use lifelong.”

This business model is rare among food-and-beverage companies in Dallas-Fort Worth, though not unprecedented. Other small businesses in Dallas-Fort Worth that offer employment to people with disabilities include Howdy Homemade, an ice cream shop that started in Dallas and has grown to six other cities;

and Hugs Café, a breakfast and lunch restaurant in McKinney and East Dallas.

Super Duper is working with Hugs to place its staff members in roles with Hugs’ restaurants.

“We are sad about the closing, but know that we were able to make a positive difference in the lives of our staff members and their families,” Crosland wrote in an email.

Super Duper’s cookies range from chocolate chip to snickerdoodle to “Disco sprinkle” — a classic sugar cookie with rainbow sprinkles. It has vegan and gluten-free options as well. Ice cream flavors include chocolate, mint chip and peanut butter burst.

“Come say goodbye and get a cookie,” the Instagram post reads, “and dance under the disco ball one last time.”

Super Duper Cookie Co. is at 6401 Hillcrest Ave., #102, Dallas. The shop closes May 1, 2026.



Tom Fox/Staff Photographer

Super Duper Cookie Co. employed people with intellectual and/or developmental disabilities over the last two years. The business will close May 1.

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legal

Legal/Public Notices

City of Dallas
NOTICE OF PUBLIC HEARING
The City of Dallas will hold Public Hearings on May 11, 2026, to consider the issuance of an order requiring the repair, removal or demolition of the structures on certain properties located in the City of Dallas. The following cases will be heard at 9:00 a.m. and 1:00 p.m.: 1906 Cassia Drive; and 1515 Parker Road. The hearings will be held in Municipal Property Court #11 on the fourth floor of the Courthouse located at 2014 Main Street, Dallas, Texas. For questions, contact the Office of the City Attorney, City of Dallas, Municipal Court, Dallas, TX 75201 or (214) 670-3509.
IPLDMNO136745

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Legal/Public Notices

City of Dallas
NOTICE OF COURT ORDER
On April 13, and 17th 2026, the City of Dallas held Public Hearings in Municipal Property Court to consider the issuance of an order requiring the repair, removal or demolition of the structures on various properties located within the City of Dallas. At the conclusion of each hearing, the Court ordered the following:
The cases involving structures located in the City of Dallas will be continued until 05/11/2026, at 9:00 a.m. and 1:00 p.m. for the properties at 3030 N. Buckner Blvd.
10822 Sandalwood Dr.; 1731 Meadow Valley Ln.; 10728 Brookport Place; 1023 Betterton Circle; 503 E. Lawson Rd.; 732 Blaylock Dr.; 2051 Bayside St. Continued to 07/13/2026 for 2912 Cleveland Street and 1643 Pine Street.
The cases involving structures located in the City of Dallas a Demolition Order was issued for 30, 60 and 90 days for 2003 Iroquois Street; 4409 Cranfill Drive; 300 W. Brooklyn Ave.
314 N. Barnett Ave; 2635 Gertrude Ave.; 4834 Haas Drive and 520 Corinth Street.
The cases involving structures located in the City of Dallas are a 30, 60 and 90-day repair agreement was entered for 1602 S. Marsalis Avenue; 4616 Gaston Avenue; 6752 Shadow Creek; 1104 Betterton Circle.
For questions or to obtain a copy of any of the orders referenced above, contact the Office of the Dallas Municipal Court Records Department and the City Attorney Prosecution Division, 2014 Main Street, 2nd Floor, Dallas, TX 75201, (214) 670-5606.
IPLDMNO136744

Legal/Public Notices

Notice is hereby given that the Health Planning and Zoning Commission will hold a public hearing at a meeting that begins at 6:30 p.m. on **Tuesday, May 5, 2026**. Further notice is given that a second public hearing is scheduled where the City Council will consider and act on the request and the recommendation of the Planning and Zoning Commission at a meeting that begins at 6:30 p.m. on **Tuesday, May 26, 2026**. Both meetings will be held at Heath City Hall, 200 Laurence Dr., Heath, Texas. The following items will be considered:
1) Conduct a Public Hearing and Act on an Ordinance of the City Council of the City of Heath, Texas, Amending Title XV, Land Usage, Chapter 159 “Zoning”, Section 159.21(C) Conditional Uses (3) “Facilities for railroads or those utilities holding a franchise in the city” by amending the text to include “or ambulance services contracted with the City of Heath”; Providing a Severability Clause, Repealer Clause, and Savings Clause; Providing an Effective Date; Providing for Publication; and Finding and Determining the meeting at which the Ordinance is adopted was open to the public as required by law.
2) Conduct a public hearing and act on Case No. CUP-26-1 for a request from Timothy Wolf of Rockwall County EMS (Emergency Medical Services) for a Conditional Use Permit that would allow for an ambulance service contracted with the City of Heath on property located at 6834 S.F.M 549, zoned (SF-43) Single Family Residential District, and being 1.025 acres, situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas.
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 dgonzales@heathtx.com.
IPLDMNO136671

Crypto rewards program launched by homebuilder

Continued from Page 3B

MegPrime pay and receive \$1,500 incentives for that,” Ipour said in an interview.

The cryptocurrency token can be converted into dollars or other forms of currency, which Ipour said is part of the benefit of using cryptocurrency.

He also said the platform is designed for people who aren’t necessarily crypto savvy.

“We didn’t build this because the world needed another cryptocurrency,” Ipour said in a news release. “We built it to solve a real need, and we used homeownership as our starting point. Crypto is just the architecture of the solution.”

Megatel is the first builder to use the platform and Ipour said he hopes the platform is used by more builders, eventually becoming a regularly used platform, similar to PayPal. MegPrime is working with other builders to have them use MegPrime, he said.

MegPrime is basing its ability to create its cryptocurrency-powered platform on a no-ac-



2023 File Photo/Smiley N. Pool

Dallas homebuilder Megatel Homes will be the first builder to use the payment program.

tion letter from the U.S. Securities and Exchange Commission. The January letter signaled the staff of the regulatory body would not recommend enforcement action against the company.

Companies can request a no-action letter if they are unsure if a product or service would be a violation of federal securities law and want clarification from the commission.

According to the letter, the MegPrime tokens would not be considered a class of equity securities — like stocks or shares — and so the company is al-

lowed to offer and sell the tokens.

Ipour said he realized homebuying was becoming more difficult for the average American. The company started working on the platform about two years ago to make homebuying more affordable through incentives.

“We built this company because we believe homeownership is the foundation to a better life, and we’ve seen firsthand what it means for a family to get there,” Ipour said in the news release. “Too many Americans are doing everything right and still can’t get in the door.”

The Dallas Morning News

AFFIDAVIT OF PUBLICATION

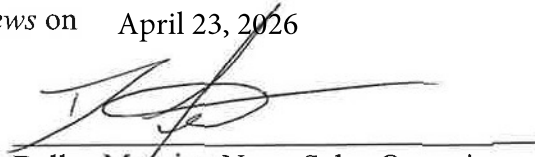
STATE OF TEXAS

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# 0136671

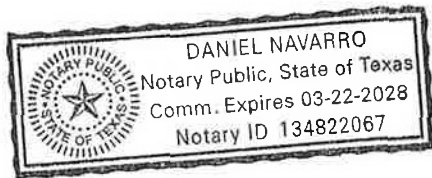
CITY OF HEATH

Appeared in *The Dallas Morning News* on April 23, 2026


Dallas Morning News Sales Operations

Sworn to and subscribed before me this

Date: 04.23.2026




Notary Public, State of Texas

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 Heath Planning and Zoning Commission will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, May 5, 2026, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the City Council will consider and act on the request and the recommendation of the Planning and Zoning Commission at a meeting that begins at 6:30 p.m. on Tuesday, May 26, 2026, 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 date of final action.**

At such time, the Heath Planning and Zoning Commission and Heath City Council will conduct a public hearing and act on **Case No. CUP-26-1** for a request from Timothy Wolf of Rockwall County EMS (Emergency Medical Services) for a Conditional Use Permit that would allow for an ambulance service contracted with the City of Heath on property located at 6834 S.FM 549, zoned (SF-43) Single Family Residential District, and being 1.025 acres, situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas. A location map of the subject property is attached.

This notice may 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 hearings.

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: _____

Name (printed): _____

Address: _____

Phone/Email Address (optional): _____

Please return this form to:
City of Heath
ATTN: David Gonzales, AICP
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
[**dgonzales@heathtx.com**](mailto:dgonzales@heathtx.com)

Thank you
City of Heath, Texas

PID: 12651
CAD Link: <https://www.rockwallcad.com/property-detail/12651>
Owner Name: KJT FLYING PROPERTIES LLC
Owner Address: PO BOX 1476 ROCKWALL TX 75087-1476
Situs Address: 6832 FM549
Second Owner Name: No second owner found

PID: 46179
CAD Link: <https://www.rockwallcad.com/property-detail/46179>
Owner Name: BURGAMY DELLENE
Owner Address: 1715 MORRISH LN HEATH TX 75032-7750
Situs Address: 1715 MORRISH LN
Second Owner Name: No second owner found

PID: 49693
CAD Link: <https://www.rockwallcad.com/property-detail/49693>
Owner Name: CASTLE PINES HOLDINGS, LLC
Owner Address: 519 E INTERSTATE 30 PMB 253 ROCKWALL TX 75087-5408
Situs Address: 1708 BISON MEADOWS LN
Second Owner Name: No second owner found

PID: 46177
CAD Link: <https://www.rockwallcad.com/property-detail/46177>
Owner Name: KIRBY KATHLEEN LOUISE
Owner Address: 1719 MORRISH LN HEATH TX 75032
Situs Address: 1719 MORRISH LN
Second Owner Name: No second owner found

PID: 46195
CAD Link: <https://www.rockwallcad.com/property-detail/46195>
Owner Name: FRABONI MICHAEL AND ELSIE
Owner Address: 1708 WEISKOPF DR HEATH TX 75032
Situs Address: 1708 WEISKOPF DR
Second Owner Name: No second owner found

PID: 51782
CAD Link: <https://www.rockwallcad.com/property-detail/51782>
Owner Name: STRUPCEWSKI JOSHUA RYAN &
Owner Address: 2 WOLF TRAIL HEATH TX 75032
Situs Address: 2 WOLF TRL
Second Owner Name: JUDITH CHAVEZ ROMERO

PID: 46160
CAD Link: <https://www.rockwallcad.com/property-detail/46160>
Owner Name: CANNON DANIEL L
Owner Address: 1703 WEISKOPF DR HEATH TX 75032
Situs Address: 1703 WEISKOPF DR
Second Owner Name: No second owner found

PID: 46192
CAD Link: <https://www.rockwallcad.com/property-detail/46192>
Owner Name: SCHEIBE LAURA MARIE
Owner Address: 1714 Weiskopf Dr Heath TX 75032-7748
Situs Address: 1714 WEISKOPF DR
Second Owner Name: No second owner found

PID: 12649
CAD Link: <https://www.rockwallcad.com/property-detail/12649>
Owner Name: WOLF TIMOTHY J
Owner Address: 1670 AVONLEA DR ROCKWALL TX 75087
Situs Address: 6834 FM549
Second Owner Name: No second owner found

PID: 330729
CAD Link: <https://www.rockwallcad.com/property-detail/330729>
Owner Name: HOMES BY 24 LLC
Owner Address: 5473 BLAIR RD STE 100 DALLAS TX 75231-4227
Situs Address: 327 LONGVIEW PLACE
Second Owner Name: No second owner found

PID: 46161
CAD Link: <https://www.rockwallcad.com/property-detail/46161>
Owner Name: YI KEUN CHOOL AND CHONG SU
Owner Address: 1705 WEISKOPF DR HEATH TX 75032
Situs Address: 1705 WEISKOPF DR
Second Owner Name: No second owner found

PID: 46182
CAD Link: <https://www.rockwallcad.com/property-detail/46182>
Owner Name: GURMENDI ALFREDO FAUSTO & KOBRA NAMDARI, CO-TRUSTEES
Owner Address: 1709 MORRISH LN HEATH TX 75032
Situs Address: 1709 MORRISH LN
Second Owner Name: KOBRA & ALFREDO GURMENDI FAMILY TRUST

PID: 46178
CAD Link: <https://www.rockwallcad.com/property-detail/46178>
Owner Name: STAR BORROWER SFR4 LP
Owner Address: 591 W PUTNAM AVE GREENWICH CT 06830-6005
Situs Address: 1717 MORRISH LN
Second Owner Name: No second owner found

PID: 46188
CAD Link: <https://www.rockwallcad.com/property-detail/46188>
Owner Name: MATTHEWS DONNA C
Owner Address: 1720 MORRISH LN HEATH TX 75032-7751
Situs Address: 1720 MORRISH LN
Second Owner Name: No second owner found

PID: 46162
CAD Link: <https://www.rockwallcad.com/property-detail/46162>
Owner Name: ISAAK LIVING TRUST
Owner Address: 1707 WEISKOPF DRIVE HEATH TX 75032
Situs Address: 1707 WEISKOPF DR
Second Owner Name: No second owner found

PID: 46164
CAD Link: <https://www.rockwallcad.com/property-detail/46164>
Owner Name: WEISKOPF 1711, A SERIES OF MONTECITO PROPERTIES WK LLC
Owner Address: 109 DREW LANE HEATH TX 75032
Situs Address: 1711 WEISKOPF DR
Second Owner Name: No second owner found

PID: 12922
CAD Link: <https://www.rockwallcad.com/property-detail/12922>
Owner Name: 3 GEN-CONTRACTORS, LLC
Owner Address: 153 CREEKVIEW LN CRANDALL TX 75114-5105
Situs Address: 6717 S FM549
Second Owner Name: No second owner found

PID: 29482
CAD Link: <https://www.rockwallcad.com/property-detail/29482>
Owner Name: WHITTLE DEVELOPMENT INC
Owner Address: PO BOX 369 ROCKWALL TX 75087-0369
Situs Address: FM3097
Second Owner Name: No second owner found

PID: 46199
CAD Link: <https://www.rockwallcad.com/property-detail/46199>
Owner Name: BROWN WILLIAM & JACQUELINE
Owner Address: 1700 WEISKOPF DR HEATH TX 75032-7748
Situs Address: 1700 WEISKOPF DR
Second Owner Name: No second owner found

PID: 51783
CAD Link: <https://www.rockwallcad.com/property-detail/51783>
Owner Name: GEARY VICTOR M & PHLECIA R
Owner Address: 1 WOLF TRAIL HEATH TX 75032
Situs Address: 1 WOLF TRL
Second Owner Name: No second owner found

PID: 49691
CAD Link: <https://www.rockwallcad.com/property-detail/49691>
Owner Name: MURPHY FRANKLIN G & SYDNEY G
Owner Address: 1700 BISON MEADOW LN HEATH TX 75032-5954
Situs Address: 1700 BISON MEADOWS LN
Second Owner Name: No second owner found

PID: 49694
CAD Link: <https://www.rockwallcad.com/property-detail/49694>
Owner Name: PANG DAVID AND KATHERINE
Owner Address: 530 RIDGE POINT DR FORNEY TX 75126-5356
Situs Address: 1712 BISON MEADOWS LN
Second Owner Name: No second owner found

PID: 46157
CAD Link: <https://www.rockwallcad.com/property-detail/46157>
Owner Name: WHITTLE DEVELOPMENT INC
Owner Address: PO BOX 369 ROCKWALL TX 75087-0369
Situs Address: 1729 MORRISH LN
Second Owner Name: No second owner found

PID: 330730
CAD Link: <https://www.rockwallcad.com/property-detail/330730>
Owner Name: GHEBRE DANIEL H
Owner Address: 432 Spring Air Dr Allen TX 75002-5318
Situs Address: 331 LONGVIEW PLACE
Second Owner Name: No second owner found

PID: 330733
CAD Link: <https://www.rockwallcad.com/property-detail/330733>
Owner Name: GEORGE WELCH CUSTOM HOMES LLC
Owner Address: P.O. BOX 818 CRANDALL TX 75114-0818
Situs Address: 107 TIMBER COVE PLACE
Second Owner Name: No second owner found

PID: 46163
CAD Link: <https://www.rockwallcad.com/property-detail/46163>
Owner Name: WOLFF FAMILY TRUST
Owner Address: 1709 WEISKOPF DRIVE ROCKWALL TX 75032
Situs Address: 1709 WEISKOPF DR
Second Owner Name: ROBERT RANDOLP WOLFF AND CAROL RUSSELL WOLFF- COTRUSTEES

PID: 46181
CAD Link: <https://www.rockwallcad.com/property-detail/46181>
Owner Name: CURTIS CLARENCE J AND MEREDITH G
Owner Address: 1711 MORRISH LANE ROCKWALL TX 75032
Situs Address: 1711 MORRISH LN
Second Owner Name: No second owner found

PID: 12650
CAD Link: <https://www.rockwallcad.com/property-detail/12650>
Owner Name: ILOABACHIE EKENE & NKECHI
Owner Address: 457 LAURENCE DR STE 193 HEATH TX 75032-2092
Situs Address: 6882 S FM549
Second Owner Name: No second owner found

PID: 46194
CAD Link: <https://www.rockwallcad.com/property-detail/46194>
Owner Name: DAVIS BELINDA A
Owner Address: 1710 WEISKOPF DR HEATH TX 75032
Situs Address: 1710 WEISKOPF DR
Second Owner Name: No second owner found

PID: 49692
CAD Link: <https://www.rockwallcad.com/property-detail/49692>
Owner Name: ABEN GREMAL LLC
Owner Address: 750 N Saint Paul St Ste 250 PMB 19833 Dallas TX 75201-3206
Situs Address: 1704 BISON MEADOWS LN
Second Owner Name: No second owner found

PID: 46183
CAD Link: <https://www.rockwallcad.com/property-detail/46183>
Owner Name: BLANCO STEVEN A AND YVETTE
Owner Address: 1710 MORRISH LN HEATH TX 75032
Situs Address: 1710 MORRISH LN
Second Owner Name: No second owner found

PID: 46196
CAD Link: <https://www.rockwallcad.com/property-detail/46196>
Owner Name: BENNETT MARIA H
Owner Address: 1706 WEISKOPF DR HEATH TX 75032-7748
Situs Address: 1706 WEISKOPF DR
Second Owner Name: No second owner found

PID: 46185
CAD Link: <https://www.rockwallcad.com/property-detail/46185>
Owner Name: NIETO EVA MARIA
Owner Address: PO BOX 2082 ROCKWALL TX 75087-4482
Situs Address: 1714 MORRISH LN
Second Owner Name: No second owner found

PID: 46158
CAD Link: <https://www.rockwallcad.com/property-detail/46158>
Owner Name: CANNON DANIEL L
Owner Address: 1703 WEISKOPF DR HEATH TX 75032
Situs Address: 1701 WEISKOPF DR
Second Owner Name: No second owner found

PID: 330749
CAD Link: <https://www.rockwallcad.com/property-detail/330749>
Owner Name: GEORGE WELCH CUSTOM HOMES LLC
Owner Address: P.O. BOX 818 CRANDALL TX 75114-0818
Situs Address: 332 LONGVIEW PLACE
Second Owner Name: No second owner found

PID: 46165
CAD Link: <https://www.rockwallcad.com/property-detail/46165>
Owner Name: PITTMAN MADISEN
Owner Address: 1732 BISON MEADOW LN HEATH TX 75032-5954
Situs Address: 1713 WEISKOPF DR
Second Owner Name: No second owner found

PID: 46187
CAD Link: <https://www.rockwallcad.com/property-detail/46187>
Owner Name: MAZUK KIM & ROYETTE
Owner Address: 1718 MORRISH LANE HEATH TX 75032
Situs Address: 1718 MORRISH LN
Second Owner Name: No second owner found

PID: 80143
CAD Link: <https://www.rockwallcad.com/property-detail/80143>
Owner Name: BROWN WILLIAM
Owner Address: 1700 WEISKOPF DR ROCKWALL TX 75032-7748
Situs Address:
Second Owner Name: No second owner found

PID: 46186
CAD Link: <https://www.rockwallcad.com/property-detail/46186>
Owner Name: CONNOLLY OLYMPIA
Owner Address: 1716 MORRISH LANE ROCKWALL TX 75032
Situs Address: 1716 MORRISH LN
Second Owner Name: No second owner found

PID: 330732
CAD Link: <https://www.rockwallcad.com/property-detail/330732>
Owner Name: DELAJ TRUST
Owner Address: 9617 BOULDER POINT RD OAK POINT TX 75068-2092
Situs Address: 103 TIMBER COVE PLACE
Second Owner Name: BOLUWATIFE OWOLANA & KAMAREENA MBU - TRUSTEES

PID: 49690
CAD Link: <https://www.rockwallcad.com/property-detail/49690>
Owner Name: WHITTLE DEVELOPMENT CO
Owner Address: PO BOX 803555 DALLAS TX 75380
Situs Address: 100 BISON MEADOWS LN
Second Owner Name: No second owner found

PID: 32947
CAD Link: <https://www.rockwallcad.com/property-detail/32947>
Owner Name: B C GOLF LTD
Owner Address: 947 W Ralph Hall Pkwy Ste 103 Rockwall TX 75032-6687
Situs Address: 624 COUNTRY CLUB DR
Second Owner Name: C/O HOOPER & RODGERS PC

PID: 330731
CAD Link: <https://www.rockwallcad.com/property-detail/330731>
Owner Name: MMM BUILDERS LLC
Owner Address: 2609 TECHNOLOGY DR STE 148 PLANO TX 75074-0347
Situs Address: 335 LONGVIEW PLACE
Second Owner Name: No second owner found

PID: 46198
CAD Link: <https://www.rockwallcad.com/property-detail/46198>
Owner Name: SCOTT FLOYD DOUGLAS & LINDA K
Owner Address: 1702 WEISKOPF DR HEATH TX 75032-7748
Situs Address: 1702 WEISKOPF DR
Second Owner Name: No second owner found

PID: 46184
CAD Link: <https://www.rockwallcad.com/property-detail/46184>
Owner Name: BOGGS MATTHEW HENRY & DAWN
Owner Address: 1712 MORRISH LANE HEATH TX 75032
Situs Address: 1712 MORRISH LN
Second Owner Name: No second owner found

PID: 46197
CAD Link: <https://www.rockwallcad.com/property-detail/46197>
Owner Name: JANICE LOONEY LIVING TRUST
Owner Address: 1704 WEISKOPF DRIVE HEATH TX 75032
Situs Address: 1704 WEISKOPF DR
Second Owner Name: JANICE LOONEY- TRUSTEE

PID: 46180
CAD Link: <https://www.rockwallcad.com/property-detail/46180>
Owner Name: ARBUCKLE JUSTIN C & NICOLE C
Owner Address: 1713 Morrish Ln Heath TX 75032-7750
Situs Address: 1713 MORRISH LN
Second Owner Name: No second owner found

PID: 51791
CAD Link: <https://www.rockwallcad.com/property-detail/51791>
Owner Name: DURBIN JAMES & JAMIE
Owner Address: 527 Lodge Hill Dr Heath TX 75032-3100
Situs Address: 1900 KINGS PASS
Second Owner Name: No second owner found

PID: 46193
CAD Link: <https://www.rockwallcad.com/property-detail/46193>
Owner Name: CITYBY INTERNATIONAL LLC
Owner Address: PO BOX 8753 GREENVILLE TX 75404
Situs Address: 1712 WEISKOPF DR
Second Owner Name: No second owner found

PID: 46176
CAD Link: <https://www.rockwallcad.com/property-detail/46176>
Owner Name: BROWN MARY & TERRY ARNOLD
Owner Address: 1721 Morrish Ln Heath TX 75032-7750
Situs Address: 1721 MORRISH LN
Second Owner Name: No second owner found

PID: 73599
CAD Link: <https://www.rockwallcad.com/property-detail/73599>
Owner Name: THE CHURCH OF JESUS CHRIST OF LATTER -DAY SAINTS
Owner Address: 50 E North Temple Rm 2225 Salt Lake City UT 84150-9001
Situs Address: 6819 FM549
Second Owner Name: TAX ADM DIV 589-1445

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 Heath Planning and Zoning Commission will hold a public hearing at a meeting that begins at 6:30 p.m. on Tuesday, May 5, 2026, at Heath City Hall, 200 Laurence Dr., Heath, Texas. Further notice is given that a second public hearing is scheduled where the City Council will consider and act on the request and the recommendation of the Planning and Zoning Commission at a meeting that begins at 6:30 p.m. on Tuesday, May 26, 2026, 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 date of final action.**

At such time, the Heath Planning and Zoning Commission and Heath City Council will conduct a public hearing and act on Case No. CUP-26-1 for a request from Timothy Wolf of Rockwall County EMS (Emergency Medical Services) for a Conditional Use Permit that would allow for an ambulance service contracted with the City of Heath on property located at 6834 S.FM 549, zoned (SF-43) Single Family Residential District, and being 1.025 acres, situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas. A location map of the subject property is attached.

This notice may 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 hearings.

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 is a zoned residential area. Staging should occur at 1 of the 2 new public health safety stations (30 + 31) that we have funded as taxpaying citizens.

Signature: Adam J Jurlin

Name (printed): Adam J Jurlin

Address: 1708 Bison meadow lane, Heath, TX 75032

Phone/Email Address (optional): 714 393 3023

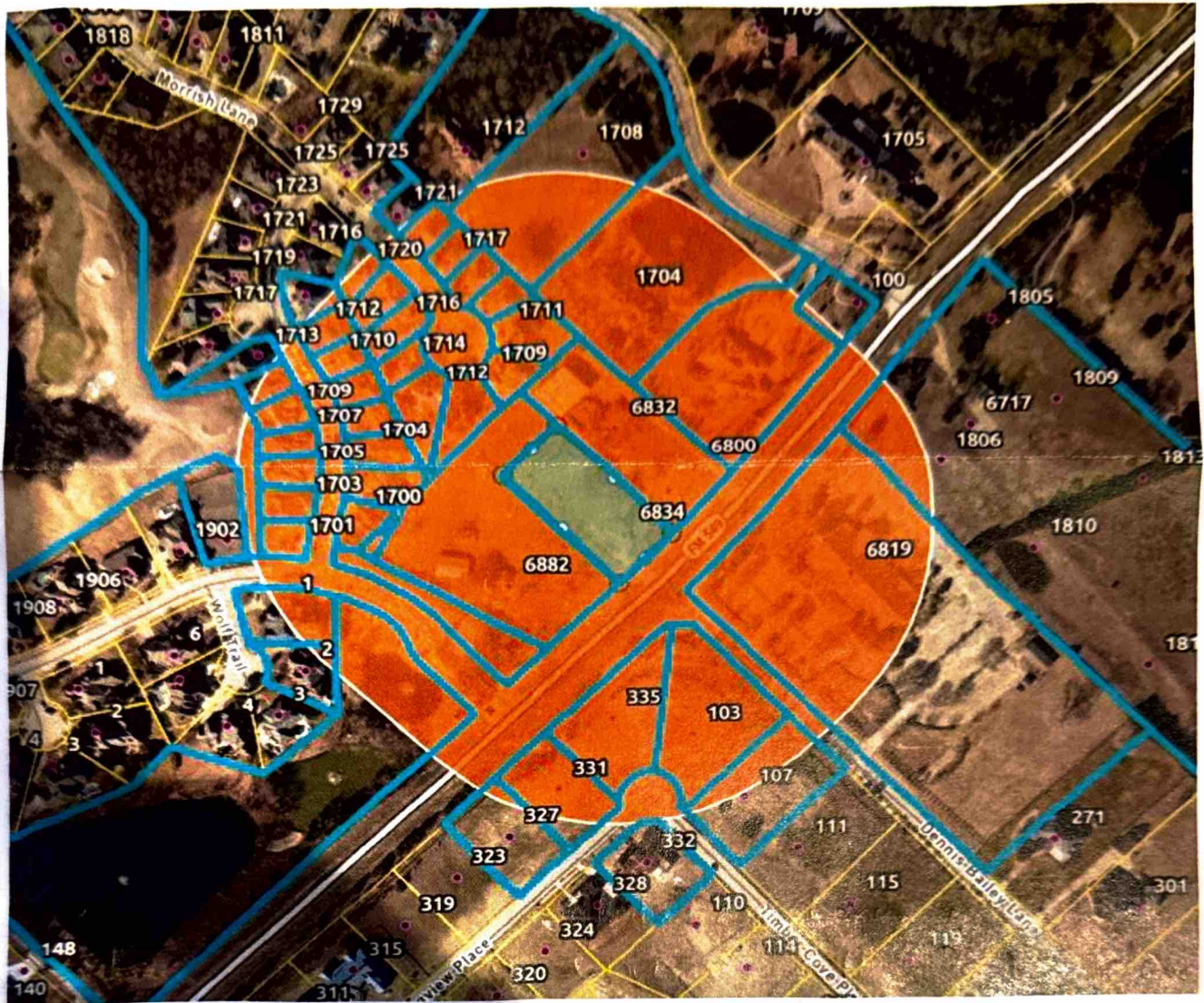
ADAM.JURLINE@outlook.com

Please return this form to:

City of Heath
ATTN: David Gonzales, AICP
200 Laurence Drive
Heath, Texas 75032

Or scan and email to:
dgonzales@heathtx.com

Thank you
City of Heath, Texas



**Vicinity
Map**



Public Hearing Notice Map

Conduct a public hearing and act on Case No. CUP-26-1 for a request from Timothy Wolf of Rockwall County EMS (Emergency Medical Services) for a Conditional Use Permit that would allow for an ambulance service contracted with the City of Heath on property located at 6834 S.FM 549, zoned (SF-43) Single Family Residential District, and being 1.025 acres, situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas.



CITY OF HEATH, TEXAS

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Reasons: (Attach a separate sheet as needed.)

I've owned this property since 1995! Rockwall EMS belongs in a business or commercial space not in the middle of homes. This is a business and wrong us of a CUP.

Signature: *Kris Green*

Name (printed): Kris Green

Address: 6800 S. FM 549

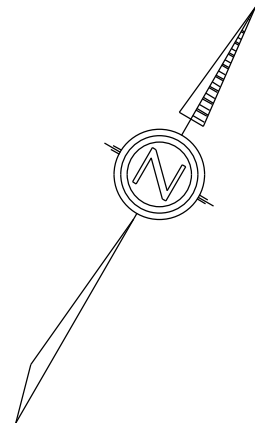
Phone/Email Address (optional): 972-824-9805

Please return this form to:

City of Heath
 ATTN: David Gonzales, AICP
 200 Laurence Drive
 Heath, Texas 75032

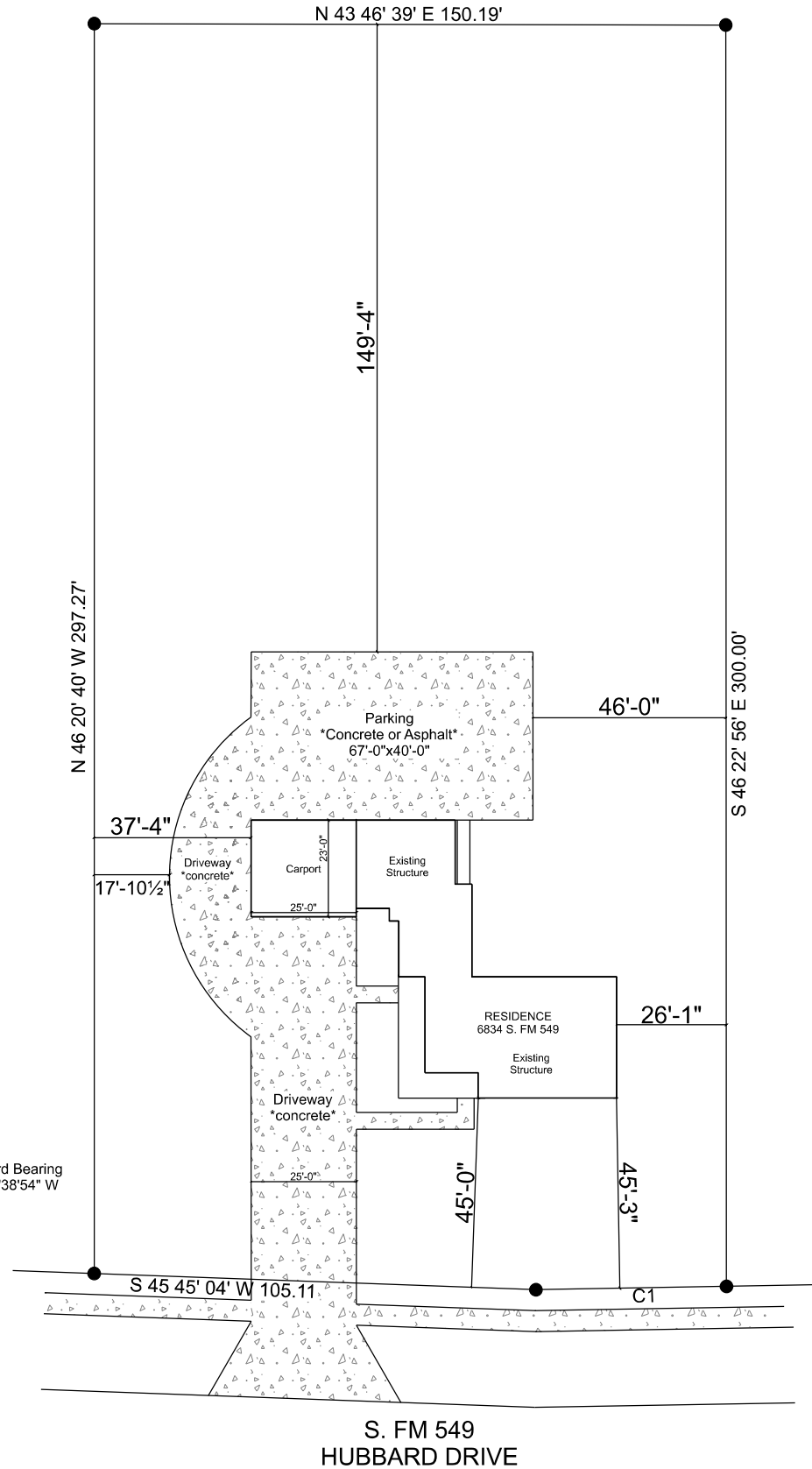
Or scan and email to:
dgonzales@heathtx.com

Thank you
 City of Heath, Texas



CURVE DATA						
Curve	Delta Angle	Radius	Arc	Tangent	Chord	Chord Bearing
1	1'26'08"	1810.45	45.36	22.68	45.36	S 42'38'54" W

NORAHANOV
TO
R.E. ANDERSON
V. 52 P. 153



NORAHANOV
TO
R.E. ANDERSON
V. 52 P. 153

ADDRESS:
6834 FM 549, Heath Tx. 75032
PROPERTY ID:
12649
LEGAL DESCRIPTION:
A0207 E Teal, Tract 11, Acres 1.025

1.36 ACRES
KRISTOPHER A. GREEN, JASON E. GREEN
BENNY W. GREEN & LINDA GREEN
TO
KJT ENTERPRISES
V. 2588 P. 0146

DESCRIPTION

All that certain lot, tract or parcel of land situated in the EDWARD TEAL SURVEY ABSTRACT NO. 207, City of Heath, Rockwall County, Texas, and being all of a 1.025 acres tract of land as described in a Warranty Deed from Harold R. Caylor and Josefa C. Caylor to Robert A. Land and Christina S. Lang, dated August 16, 2022 and being recorded in Volume 2629, Page 164 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" Set for corner in the Northwest right of way line of S. F.M. Highway 549, said point at the East corner of said 1.025 acres tract and also being the South corner of a 1.36 acres tract of land as described in a Warranty deed from Kristopher A. Green, Jason E. Green, Benny W. Green and Linda Green to KJT Enterprises dated June 26, 2002 and being recorded in Volume 2588, Page 146 of the Official Public Records of Rockwall County, Texas.

THENCE in a southwesternly direction along a curve to the right have a central angle of 01 deg. 26 min. 08 sec. a radius of 1810.45 feet. A tangent of 22.68 feet, a chord of s. 43 deg. 14 min. 50 sec w., 45.36 feet along said right of way line, an arc distance of 45.36 feet to 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner.

THENCE S. 46 deg. 21 min. 00 sec. W. along said right of way line, a distance of 105.11 to a 1/2" iron rod found for corner at the south corner of said 1.025 tract;

THENCE N. 45 deg. 44 min. 44 sec. W. a distance of 297.27 feet to a 1/2" iron rod found for corner.

THENCE N. 44 deg. 22 min. 35 sec. E. a distance of 150.19 feet to 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set of corner.

THENCE S. 45 deg. 47 min. 00 sec. E. (Controlling bearing line) along the Northeast line of said 1.025 acres tract and the Southwest line of said 1.36 tract, a distance of 300.00 feet to the POINT OF BEGINNING and containing 1.03 acres of land.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel no. 480548 0005 A dated February 1, 1980, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 2629, P. 164, O.P.R.R.C.T.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034"

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION DESIGN INFORMATION NECESSARY TO COMPLETE THIS STRUCTURE. THESE PLANS ARE NOT TO BE USED FOR CONSTRUCTION OF ANY STRUCTURE WITHOUT THE SIGNATURE OF THE ENGINEER. LOCAL CODES, ORDINANCES AND RESTRICTIONS WILL APPLY SHOULD A DISCREPANCY OCCUR BETWEEN THE PLANS AND LOCAL REQUIREMENTS

PRINTED:
9/10/2024
01:53 PM

SMITH CUSTOM B&D
Designed: Steven Smith
Email: Steven@smithcustomllc.com
Mobile: (903) 229-1025

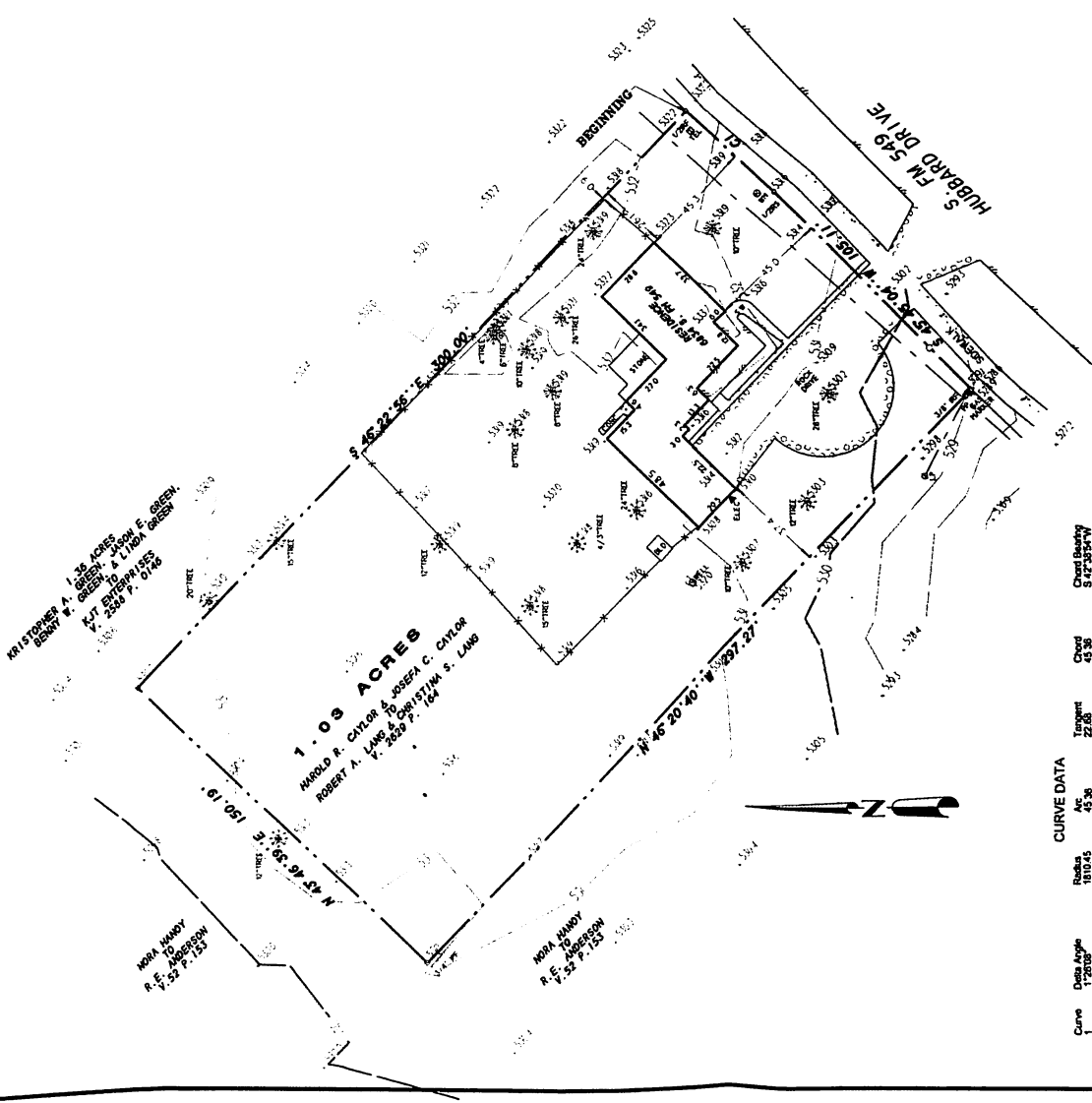
Revisions:

No.	Description

Site Plan
PLAN NAME:
6834 FM 549
Heath, Texas

SHEET NO.

-



DESCRIPTION

All the entire lot, tract or parcel of land situated in the EDWARD TEAL SURVEY ABSTRACT NO. 207, City of Heath, Rockwall County, Texas, and being all of a 1.025 acres tract of land as described in a Warranty deed dated 2000, recorded in Public Records of Rockwall County, Texas, to Harold R. Caylor and Victoria C. Caylor, and being the Official Public Record of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Northwest right-of-way line of S. F. M. Highway 548, said point being at the East corner of said tract as shown on the plat hereon, and being the same as the point shown on the plat in the Warranty deed dated June 28, 2002, and being recorded in Volume 2588, Page 148 of the Official Public Records of Rockwall County, Texas;

THENCE N. 45 deg. 22' 36" min. 00 sec. W. along said right-of-way line, a distance of 105.11 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 45 deg. 22' 36" min. 00 sec. W. a distance of 297.27 feet to a 1/2" iron rod found for corner;

THENCE N. 44 deg. 22' 36" min. 00 sec. E. a distance of 150.19 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE S. 45 deg. 47' 00" min. 00 sec. E. (Containing bearing line) along the Northwest line of said tract, a distance of 100.00 feet to the POINT OF BEGINNING and containing 1.03 acres of land.

NOTES

1) According to E.M.A. Flood Insurance Rate Map, Community Panel No. 485645 0005 A, dated September 1, 1980, this property lies in Zone X. This property does not appear to its within a 100-year flood plain.

2) BEARING SOURCE: RECORDED DEED IN VOL. 2628, P. 184, O.P.R.C.T.

3) ALL 1/2" IRIS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

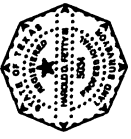
SURVEYOR'S CERTIFICATE

I, Harold D. Fealy, III, Registered Professional Land Surveyor No. 6034, do hereby certify that the above plat is a true and correct copy of the original survey made by me and my assistants on the premises shown on the plat hereon, and that the same was surveyed under my supervision on the ground that the 9th day of NOVEMBER, 2007.

CURVE DATA

Curve	1	Delta Angle	112.018°	Radius	1810.45	Ac	45.36	Tangent	22.68	Chord	45.36	Chord Bearing	S 47° 28' 54" W
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WARRANTY ACCEPTED BY: _____ DATE: _____



Harold D. Fealy, III, R.P.L.S. No. 6034

R.S.C.I.

LAND SURVEYING
 ROCKWALL, TEXAS
 1801 S. FM 591, SUITE 301, ROCKWALL, TEXAS 75087
 972-778-1000 PHONE 972-778-1043 FAX

SYMBOL LEGEND

(Symbol)	1/2" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	1/4" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	1" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	3" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	4" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	6" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	8" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	10" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	12" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	14" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	16" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	18" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	20" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	22" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	24" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	26" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	28" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	30" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	32" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	34" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	36" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	38" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	40" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	42" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	44" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	46" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	48" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	50" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	52" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	54" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	56" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	58" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	60" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	62" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	64" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	66" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	68" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	70" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	72" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	74" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	76" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	78" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	80" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	82" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	84" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	86" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	88" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	90" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	92" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	94" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	96" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	98" IRON ROD WITH YELLOW PLASTIC CAP
(Symbol)	100" IRON ROD WITH YELLOW PLASTIC CAP

GENERAL INFO

ACCOUNT

Property ID: 12649
 Geographic ID: 0207-0000-0011-00-0R
 Type: R
 Zoning:
 Agent:
 Legal Description: A0207 E TEAL, TRACT 11, ACRES 1.025
 Property Use: A1

OWNER

Name: WOLF TIMOTHY J
 Secondary Name:
 Mailing Address: 1670 AVONLEA DR ROCKWALL TX US 75087
 Owner ID: 1077724
 % Ownership: 100.000000
 Exemptions:

LOCATION

Address: 6834 FM549, HEATH TX 75032

Market Area:
 Market Area CD: N0207-2017
 Map ID: 2-6

PROTEST

Protest Status:
 Informal Date:
 Formal Date:

VALUES

CURRENT VALUES

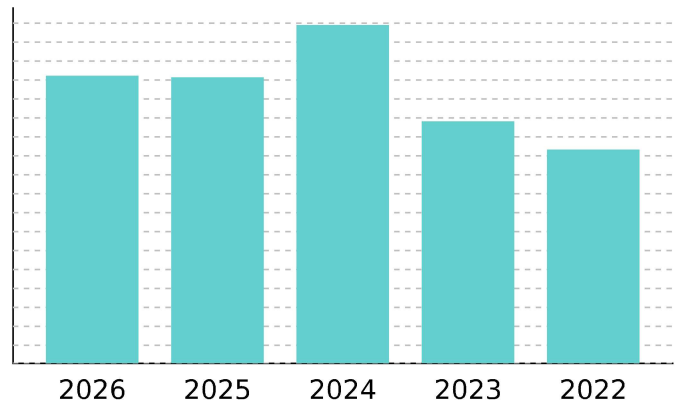
Land Homesite: \$72,570
 Land Non-Homesite: \$0
 Special Use Land Market: \$0
 Total Land: \$72,570

 Improvement Homesite: \$307,856
 Improvement Non-Homesite: \$0
 Total Improvement: \$307,856

 Market: \$380,426
 Special Use Exclusion (-): \$0
 Appraised: \$380,426
 Value Limitation Adjustment (-): \$0

 Net Appraised: \$380,426

VALUE HISTORY



Values for the current year are preliminary and are subject to change.

VALUE HISTORY

Year	Land Market	Improvement	Special Use Exclusion	Appraised	Value Limitation Adj (-)	Net Appraised
2026	\$72,570	\$307,856	\$0	\$380,426	\$0	\$380,426
2025	\$61,500	\$316,779	\$0	\$378,279	\$0	\$378,279
2024	\$123,000	\$324,446	\$0	\$447,446	\$63,490	\$383,956
2023	\$73,800	\$246,163	\$0	\$319,963	\$0	\$319,963
2022	\$63,960	\$218,670	\$0	\$282,630	\$0	\$282,630

TAXING UNITS

Unit	Description	Tax Rate	Net Appraised	Taxable Value
CHE	CITY OF HEATH	0.275650	\$380,426	\$380,426
GRW	ROCKWALL COUNTY	0.251000	\$380,426	\$380,426
SRW	ROCKWALL ISD	1.066900	\$380,426	\$380,426

DO NOT PAY FROM THIS ESTIMATE. This is only an estimate provided for informational purposes and may not include any special assessments that may also be collected. Please contact the tax office for actual amounts.

IMPROVEMENT

Improvement #1: **RESIDENTIAL** Improvement Value: **\$307,856** Main Area: **2,750**
 State Code: **A1** Description: **RESIDENTIAL** Gross Building Area: **3,192**

Type	Description	Class CD	Exterior Wall	Number of Units	EFF Year Built	Year	SQFT
MA	MAIN AREA	GW3		0	1999	1968	2,242
MA	MAIN AREA	GW3		0	1999	1968	508
CP	COVERED PORCH	GW3		0	1999	1968	246
CP	COVERED PORCH	CP6		1	1980	1980	196

Improvement Features

MA Plumbing: 3, Interior Finish: 72, Number of Bedrooms: 04, Roof Style: 61, Flooring: 90, Foundation: 25, Exterior Wall: 36

LAND

Land	Description	Acres	SQFT	Cost per SQFT	Market Value	Special Use Value
A1	RES SFR NON WF	1.0250	44,649	\$1.63	\$72,570	\$0

DEED HISTORY

Deed Date	Type	Description	Grantor/Seller	Grantee/Buyer	Book ID	Volume	Page	Instrument
6/3/16	WD	WARRANTY DEED	FLOYD ROBERT A	WOLF TIMOTHY J				2016000000 9234
8/20/07	WD	WARRANTY DEED	LANG ROBERT A & CHRISTINA S	FLOYD ROBERT A		5200	155	
8/16/02	WD	WARRANTY DEED	CAYLOR HAROLD R & JOSEFA C	LANG ROBERT A & CHRISTINA S		2629	164	0
6/7/99	WD	WARRANTY DEED	BELCHER DIANNE	CAYLOR HAROLD R & JOSEFA C		01649	00055	0
9/2/93	WD	WARRANTY DEED	WARD MICHAEL KENT	BELCHER DIANNE		720	83	0
	OT		ANDERSON R E	WARD MICHAEL KENT		135	237	0

CHAPTER 113: AMBULANCE SERVICE

Section

113.01 Operating prohibited without contract

113.02 Exceptions

§ 113.01 OPERATING PROHIBITED WITHOUT CONTRACT.

(A) No person shall operate or cause to be operated an ambulance vehicle as that term is defined in TDH regulations, nor furnish, conduct, maintain, advertise or otherwise be engaged in the business or service of the transportation of patients in an ambulance within the City of Heath unless that person is the ambulance service provider currently under contract with Rockwall County to provide ambulance service within the county.

(B) No person shall knowingly solicit ambulance services regulated herein except from the ambulance service provider.

(2005 Code, § 6-5-1) (Ord. 980820B, passed - -) Penalty, see § 10.99

§ 113.02 EXCEPTIONS.

The provisions of § 113.01 above shall not apply to:

(A) Rendering assistance to patients in the case of a major catastrophe or emergency with which the contractor's ambulances are insufficient or unable to cope;

(B) Transporting a patient from outside of Rockwall County to a point within the City of Heath; or

(C) Transporting a patient picked up outside of Rockwall County, traveling through the City of Heath to a destination outside of Rockwall County.

(2005 Code, § 6-5-2) (Ord. 980820B, passed - -)

**CITY OF HEATH, TEXAS
ORDINANCE NO. 160412-D**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEATH, TEXAS, AMENDING THE CODE OF ORDINANCES IN CHAPTER 159, ZONING, BY AMENDING SECTION 159.21. (SF-43) SINGLE-FAMILY RESIDENTIAL DISTRICT, (C) CONDITIONAL USES (3) FACILITIES FOR RAILROADS OR THOSE UTILITIES HOLDING A FRANCHISE IN THE CITY OF HEATH TO INCLUDE AMBULANCE SERVICES CONTRACTED WITH THE CITY; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) PER DAY FOR EACH OFFENSE; PROVIDING A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, A REPEALER CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Heath and the governing body of the City of Heath, in compliance with the laws of the State of Texas and the ordinances of the City of Heath, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair public hearing; and

WHEREAS, the City Council of the City of Heath, Texas, in the exercise of its legislative discretion has concluded that the Comprehensive Zoning Ordinance of the City of Heath should be amended as follows:

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

SECTION 1. That Chapter 159, Zoning, of the Code of Ordinances, Section 159.21, be and is hereby amended in part to read as follows:

§ 159.21 (SF-43) SINGLE-FAMILY RESIDENTIAL DISTRICT

(C) *CONDITIONAL USES.*

(3) Facilities for railroads, those utilities holding a franchise in the City of Heath or ambulance services contracted with the City of Heath;

SECTION 2. If any word, section, article, phrase, paragraph, sentence, clause or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect, for any reason, the validity of the remaining portions of this Ordinance, nor shall adjudication affect any other section, paragraph, or provision of the Zoning Ordinance of the City of Heath, Texas and the remaining portions of such ordinances shall remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. All provisions of the Code of Ordinances of the City of Heath in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of

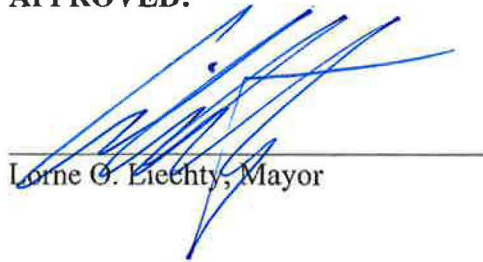
Ordinances of the City of Heath not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 4. Any person, firm or corporation violating any term or provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a penalty of fine not to exceed the amount of Two Thousand Dollars (\$2,000) for each offense. Every day a violation continues shall constitute a separate offense.

SECTION 5. This Ordinance shall take effect immediately from and after its passage and the publication of the caption of said ordinance, as the law and Charter in such cases provide.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF HEATH, TEXAS on this the 12th day of APRIL 2016.

APPROVED:



Lorne G. Lechty, Mayor

ATTEST:



Norma Duncan, City Secretary

APPROVED AS TO FORM:



Wm. Andrew Messer, City Attorney

**CITY OF HEATH
ORDINANCE NO. 181211B**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEATH, TEXAS, AMENDING VARIOUS SECTIONS TO CHAPTER 159, "ZONING", OF THE CODE OF ORDINANCES, CITY OF HEATH, TEXAS, THE SAME BEING THE ZONING ORDINANCE, INCLUDING SECTIONS 159.03, "LAND AND STRUCTURES TO BE USED AS REQUIRED BY DISTRICT REGULATIONS", SECTION 159.06, "PRESERVATION OF FLOODPLAIN AREAS", SECTION 159.22, "(SF-22) SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 159.23, "(SF-15) SINGLE-FAMILY RESIDENTIAL DISTRICT", SECTION 159.24, "(D) DUPLEX RESIDENTIAL DISTRICT", SECTION 159.25, "(TH) TOWNHOUSE RESIDENTIAL DISTRICT", SECTION 159.26, "(MF-8) MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT", SECTION 159.27, "(LR) LOCAL RETAIL DISTRICT REGULATIONS", SECTION 159.28, "(PD) PLANNED DEVELOPMENT DISTRICT", SECTION 159.42, "DEFINITIONS", AND SECTION 159.49, "NONCONFORMING USES", FOR THE PURPOSE OF IMPLEMENTING TECHNICAL CORRECTIONS, AND AMENDING CERTAIN LAND USE PROVISIONS AND REQUIREMENTS TO REFLECT THE GOALS AND OBJECTIVES ESTABLISHED IN THE CITY OF HEATH 2018 COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 180410A ON APRIL 10, 2018; PROVIDING SAVINGS, REPEALING AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Heath, Texas (the "City") is a Home Rule Municipality acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Texas Local Government Code; and

WHEREAS, Section 211.003 of the Texas Local Government Code provides that the City Council may regulate the percentage of a lot that may be occupied; the population density; the size of yards, courts, and other open spaces; the location and use of buildings, other structures, and land for business, industrial, residential, or other purposes; and the bulk of buildings; and

WHEREAS, Section 211.005(a) of the Texas Local Government Code authorizes the City Council to divide the City into districts, within which the City Council may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land and within which zoning regulation must be uniform for each class or kind of building in a district; and

WHEREAS, the City Council of the City of Heath, Texas (the "City Council") adopted Chapter 159 of its Code of Ordinances, the same being the City's Zoning Ordinance, which sets forth various regulations for the use of land within the City; and

WHEREAS, on April 10, 2018, the City adopted Ordinance 180410A, a revised Comprehensive Plan, after conducting substantial studies and a number of public hearings and work sessions, giving of public notice; and gathering input from the City's professional planner, owners and developers of land within the City regarding the revised Comprehensive Plan (the "Comprehensive Plan"); and

WHEREAS, the Comprehensive Plan now contains a provision defining residential "developable area" to exclude land that is in the regulatory floodplain; rivers, lakes, and streams; and rights-of-way (the "ROW"); and

WHEREAS, having considered the recommendations of the Planning and Zoning Commission concerning the appropriateness of the amendments to the Zoning Ordinance in order to provide clarity and harmonize the regulations of the Zoning Ordinance with the Comprehensive Plan; and

WHEREAS, after public notices were given in compliance with State law and public hearings were conducted, and after considering the information submitted at those public hearings and all other relevant information and materials, the Planning and Zoning Commission of the City has recommended to the City Council the adoption of the amendments to the Zoning Ordinance as set forth in this Ordinance; and

WHEREAS, after complying with all legal notices, requirements, and conditions, a public hearing was held before City Council at which the City Council considered the recommendation of the Planning and Zoning Commission, and among other things, the necessity for orderly and appropriate regulations of the use of land and the erection of structures thereon, and the City Council does hereby find that the amendments to the City's Zoning Ordinance approved hereby accomplishes such objectives; and

WHEREAS, the City Council wishes to now amend its Zoning Ordinance to reflect the provisions of the Comprehensive Plan in conformance with Local Government Code Chapters 211 and 213, and to ensure the public peace, health, safety, morals, and general welfare of the City and for the proper conduct of its affairs; and

WHEREAS, the City Council deems it necessary, expedient, and in the best interest of the City to adopt the below revisions to its Zoning Ordinance.

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

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Findings. After due deliberations and consideration of the recommendation of the Planning and Zoning Commission and the information and other materials received at the public hearing, the City Council has concluded that the adoption of this Ordinance is in the best interests of the City of Heath, Texas, and of the public health, safety and welfare.

Section 3. Zoning Amendments. Chapter 159 of the Code of Ordinances of the City of Heath, Texas, the same being the City's Zoning Ordinance, is hereby amended to read as follows, and all other articles, chapters, sections, paragraphs, sentences, phrases and words not expressly amended hereby are hereby ratified and affirmed (with additions shown in underline and deletions shown in strikethrough):

§ 159.01 DIVISION OF CITY INTO DISTRICTS.

(A) For the purpose of regulating and restricting the use of land and the erection, construction, reconstruction, alterations, moving or use of buildings, structures or land, all lands within the corporate limits of Heath are hereby divided into the following districts:

- (1) District (A) Agricultural District;
- (2) District (SF-43) Single-Family Residential District; minimum lot size 43,560 square feet (one acre);
- (3) District (SF-22) Single-Family Residential District; minimum lot size 22,000 square feet (one-half acre);
- (4) District (SF-15) Single-Family Residential District; minimum lot size 15,000 square feet;
- (5) District (TH) Townhouse Residential District;
- (6) District (D) Duplex Residential District;
- (7) District (MF-8) High-Density Multi-Family District; maximum density eight units per acre; and
- (8) District (LR) Local Retail District.

(B) Any use not listed herein may be placed in a suitable district classification by the governing body, after recommendation of the Planning and Zoning Commission as specified in § 159.82.

§ 159.03 LAND AND STRUCTURES TO BE USED AS REQUIRED BY DISTRICT REGULATIONS.

(A) The regulations set by this chapter within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

(B) No building, structure or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all of the regulations herein specified for the district in which it is located.

(C) No part of a yard, or other space, or off-street parking or loading space required about or in connection with any building or use for the purpose of complying with this chapter, shall be included as part of a yard, open space or off-street parking or loading space similarly required for any other building or use.

(D) Every building hereafter erected or altered shall be located on a lot as herein defined.

(E) An accessory building/structure must be incidental to the main building and must comply with all use regulations applicable to the main building except as stated herein.

(1) An accessory building/structure may not be used for commercial purposes except as permitted per the use district and within the definition of home occupation.

(2) An accessory building/structure may not be rented separately from the residence.

(3) A detached accessory building/structure may not be used for living quarters which is comprised of rooms and/or areas that are normally associated with residential accommodations, e.g.: kitchens, kitchenettes, dining rooms, sleeping rooms, living areas, bathrooms and the like, except for guest houses and servants quarters where permitted or granted by conditional use permit.

(4) Accessory building/structures shall not be located in any front yard.

(5) No accessory building/structure shall be constructed upon a lot until the construction on the principal building has commenced with the permanent foundation and framing in place.

(6) No accessory building/structure shall be put in use unless the principal building is completed and occupied.

(7) With respect to accessory building/structure as defined in § 159.42, the city's Building Official or a representative designated by him or her must also determine, based upon the following criteria, if the structure is an attached accessory building/structure to the main building:

(a) That the required roof extension is a structural member of the roof of the main building;

(b) That the roof extension does not exceed 24 feet in length, excluding overhangs, and the ridgeline of the roof extension is not higher than the roof over the main building;

(c) That the attached accessory use building/structure is no larger than 900 square feet and is built of like material and design in generally the same proportions (exclusive of glass) as the main building; and

(d) Does not contain attributes such as plumbing for a kitchen or bathroom, which may cause the city's Building Official or his or her designated representative to determine that such accessory building/structure should not be allowed without the applicant obtaining a conditional use permit.

(8) If the city's Building Official or his or her designated representative determines that an accessory building/structure is not an attached, integral part of the main building under the foregoing criteria, and that otherwise the accessory building/structure is not allowed under the provisions herein relating to stand alone, detached accessory buildings/structures without a conditional use permit; then the City Building Official or his or her designated representative shall advise the applicant that he or she must obtain a conditional use permit for applicant's proposed accessory building/structure. Each accessory building/structure used for non-residential or

multi-family residential purpose shall be considered a principal building/structure. The regulations detailed in this section shall govern the location of swimming pools and spas accessory to non-residential and multi-family residential uses.

(9) Distance between single-family and non-residential/multi-family residential swimming pools and spas: when property occupied by non-residential and/or multi-family residential uses abuts a single-family district, swimming pools and spas accessory to the non-residential and multi-family residential uses shall be located no closer than 50 feet to the single-family district, as measured from the outside of the pool liner.

(F) When calculating lot area in all use districts or districts, such area shall not include: (1) land that is in the regulatory floodplain; (2) rivers, lakes, and streams; and/or (3) rights-of-way.

§ 159.05 PURPOSE OF THE USE DISTRICTS.

The purpose of the use districts described herein 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 heated 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 Heath.

§ 159.06 PRESERVATION OF FLOODPLAIN AREAS.

(A) In accordance with the Comprehensive Plan, land that is classified within any floodplain, including the 100-year floodplain with fully developed conditions for the entire watershed, shall not be reclaimed nor included as lot area.

(B) The protected floodplain or 100-year floodplain with fully developed conditions for the entire watershed is defined as the area that is certified by a professional engineer to be within the 100-year floodplain, assuming build-out or fully developed conditions for the entire area within the relevant watershed.

(C) No excavation, filling, grading or any other type of altering the protected floodplain elevation shall occur until, and unless, the excavation, filling, grading or alteration has been approved by the City Council, who may ascertain, based upon a recommendation from the City's Engineer, that such alteration is not subject to flood damage and would not constitute an encroachment, hazard or obstacle to the movement of flood waters and that the value and safety of other property or the public health and welfare would not be endangered.

....

USE DISTRICTS

§ 159.20 (A) AGRICULTURAL DISTRICT.

(A) Purpose.

(1) The Agricultural District is to be used to promote orderly, timely, economic growth and to recognize current land-use conditions. The district is a reserved area in which the future growth of the city might occur. It is the intent of this district that agricultural land be held in that use for as long as is practical and reasonable. This zoning is suitable for areas where development is premature because of a lack of utilities, capacity or service, or where the ultimate land use has not been determined.

(2) The zone is also to be used:

(a) To protect those areas that are unsuitable for development because of physical problems or potential health or safety hazards such as flooding. The usage of the land would be permanently restricted to low intensity agricultural uses until such time as the property is proven to be suitable for development and is rezoned; and

(b) To provide a permanent greenbelt to preserve natural areas or open space buffer around uses that might otherwise be objectionable or pose environmental or health hazards.

(B) Permitted uses.

(1) Farming, ranching, related activities, owner's single-family dwelling and one accessory building not larger than 900 square feet of floor area and not taller than 20 feet in height and on ten acres or more. Agriculture district accessory building/structures shall have no sleeping areas, bathroom or kitchen plumbing (except for one hand sink) or kitchen facilities;

(2) Home occupations;

(3) Municipality owned or controlled facilities, utilities and uses;

(4) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official;

(5) For a guest house, the maximum size may not exceed 900 square feet in area on parcels of land under two acres in size or 1,742 square feet on parcels of land two acres or greater in size. It must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition, the uses shall not be sold or conveyed separately without the meeting the requirements of the subdivision ordinance;

(6) For servant's quarters, the quarters may be a portion of the main building or, if the parcel of land exceeds two acres in size, the quarters may be a separate building not exceeding 1,742 square feet in total floor area. The quarters must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition,

such uses shall not be sold or conveyed separately without meeting the requirements of the subdivision ordinance;

(7) Wind energy systems on lots greater than ten acres in size subject to all terms and conditions of § 159.50; and

(8) A single open landscape structure on the same lot as an accessory to a residential use and used as a trellis, arbor, pergola, gazebo, or outdoor kitchen that does not exceed 350 square feet in area and fifteen feet in height.

(C) Conditional uses (require use permits, see § 159.43).

(1) Facilities for the raising of animals in accordance with all applicable City of Heath ordinances;

(2) Single-family dwelling and one or more accessory building uses on property of less than ten acres that has not been subdivided or sold off in pieces since the effective date of this chapter or the date of annexation, whichever is later.

(3) More than one accessory building on more than ten acres or an accessory building that does not conform to the requirements of division (B)(1) above.

(4) Wholesale nursery for the growing of plants not for retail sale on the premises;

(5) Facilities for railroads or those utilities holding a franchise under the City of Heath;

(6) Institutional uses including sanitary landfill, water treatment and supply facilities, wastewater treatment facilities;

(7) Wind energy systems that do not conform to requirements in division (B)(7) above. (See also § 159.50.); and

(8) Other uses which, as determined by the Planning and Zoning Commission, are not contrary to the purposes established for this district.

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses; and

(2) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required.

(E) Area requirements.

(1) Minimum lot area, as defined herein: 43,560 square feet (one acre);

(2) Minimum lot frontage on a public street: 100 feet;

(3) Minimum lot depth: 200 feet;

(4) Minimum depth of front setback: 40 feet plus one foot for each foot in height over 25 feet;

(5) Minimum depth of rear setback: 25 feet;

(6) Minimum width of side setback:

(a) Internal lot: ten feet;

(b) Side yard setback abutting street: 20 feet; and

(c) Abutting an arterial: 30 feet.

(7) Minimum distance between buildings on the same lot or parcel of land: 15 feet;

- (8) Minimum length of driveway pavement from the public right-of-way on a side or rear yard: 25 feet;
- (9) Maximum building coverage as a percentage of lot area, as defined herein: N/A;
- (10) Maximum height of structures: 35 feet;
- (11) Minimum number of off-street parking spaces required for one single-dwelling unit: two.
 - (a) An enclosed garage shall not be considered in meeting the off-street parking requirements.
 - (b) All other uses: see §§ 159.60 through 159.68.

§ 159.21 (SF-43) SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) This district is considered to be the proper zoning classification for one-acre lot developments for single-family dwelling use. This district is intended to be composed of single-family dwellings.
- (2) Areas that are zoned for this use shall have or provide for water, wastewater, drainage and access to paved streets based on single-family usage required by the allowed density.
- (3) It is intended for areas that are properly buffered from nonresidential uses, and protected from pollution and/or environmental hazards or from high volume of non-single family traffic.
- (4) Developers wishing to restrict their subdivision to lot sizes in excess of what this chapter requires shall use restrictive covenants.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land, in accordance with all other adopted ordinances;
- (2) One detached single-family dwelling per lot;
- (3) A single one-story detached building used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet (no building permit required);
- (4) A single detached accessory building, built of like materials and design as the main building, that does not exceed 2% of the total square footage of the lot or parcel of land (e.g., 43,560 square feet x .02 = 871.2 square feet) and 15 feet in height or 50% of the area of the main building. The maximum size may not exceed 900 square feet in area or 15 feet in height;
- (5) Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, the sales offices to be maintained at all times;
- (6) Temporary on-site construction offices, limited to the period of construction, with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
- (7) Home occupations;
- (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
- (9) All municipality owned or controlled facilities, utilities and uses;
- (10) Private residential swimming pools as an accessory to a residential use;
- (11) Private unlighted residential tennis courts on the same lot as an accessory to a residential use;

(12) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official;

(13) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units;

(14) Guest house. The maximum size may not exceed 900 square feet in area on parcels of land under two acres in size or 1,742 square feet on parcels of land two acres or greater in size. It must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of such use may not receive remuneration for the use of one of the above. In addition, the uses shall not be sold or conveyed separately without the meeting the requirements of the Subdivision Ordinance;

(15) Servant's quarters. The quarters may be a portion of the main building or, if the parcel of land exceeds two acres in size, the quarters may be a separate building not exceeding 1,742 square feet in total floor area. The quarters must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition, such uses shall not be sold or conveyed separately without meeting the requirements of the Subdivision Ordinance; and

(16) Wind energy systems on lots greater than ten acres in size subject to all terms and conditions of § 159.50.

(C) Conditional uses (require use permits, see § 159.43).

(1) Associated recreation and/or community clubs;

(2) Accessory buildings that do not conform to the requirements specified in division (B)(4) above;

(3) Facilities for railroads or those utilities holding a franchise in the City of Heath;

(4) Paved parking facilities for nonresidential uses that are not allowed in this district if properly screened, buffered and landscaped;

(5) A private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;

(6) A driveway or crosswalk, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district;

(7) Agricultural use; and

(8) Wind energy systems that do not conform to requirements listed in division (B)(16) above. (See also § 159.50).

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses;

(2) The storage of equipment, materials or vehicles, including abandoned vehicles which are not necessary to the uses permitted in this district;

(3) Any use of property that does not meet the required minimum lot size; front side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required; and

(4) Day care centers.

(E) Area requirements.

(1) Minimum lot area, as defined herein: one acre (43,560 square feet);

- (2) Maximum number of single-family detached dwelling units per lot: one;
- (3) Minimum square footage per dwelling unit: 1,500 square feet;
- (4) Minimum lot width: 100 feet at front building line;
- (5) Minimum lot depth: 175 feet;
- (6) Minimum depth of front setback: 30 feet;
- (7) Minimum depth of rear setback: 25 feet for main building and ten feet for accessory building or other structure;
- (8) Minimum width of side set back:
 - (a) Internal lot: 15 feet; and
 - (b) Side yard setback abutting street: 30 feet.
- (9) Minimum distance between separate buildings on the same lot or parcel of land: 15 feet;
- (10) Minimum length of driveway pavement: from public right-of-way to the building line or 30 feet whichever is greater;
- (11) Maximum building coverage as a percentage of lot area, as defined herein: 35%;
- (12) Maximum height of structures: 35 feet; and
- (13) Minimum number of paved off-street parking spaces required for:
 - (a) One single-family dwelling unit: two. (An enclosed garage shall not be considered in meeting the off-street parking requirements); and
 - (b) All other uses: see §§ 159.60 through 159.68.

§ 159.22 (SF-22) SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) 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.
- (2) This district is considered to be the proper zoning classification for one-half-acre lot developments for single-family dwelling use. This district is intended to be composed of single-family dwellings.
- (3) Areas that are zoned for this use shall have or provide for water, wastewater, drainage and access to paved streets based on single-family usage required by the allowed density.
- (4) It is intended for areas that are properly buffered from nonresidential uses, and protected from pollution and/or environmental hazards or from high volume of non-single-family traffic.
- (5) Developers wishing to restrict their subdivision to lot sizes in excess of what this chapter requires shall use restrictive covenants.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land, in accordance with all other adopted ordinances;
- (2) One detached single-family dwelling per lot;

- (3) A single one-story detached building used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet (no building permit required);
 - (4) A single detached accessory building, built of like materials and design as the main building, that does not exceed 2% of the total square footage of the lot or parcel of land (e.g., 22,000 square feet x .02 = 440 square feet) and 15 feet in height or 50% of the area of the main building. The maximum size may not exceed 900 square feet in area or 15 feet in height;
 - (5) Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such sales offices to be maintained at all times;
 - (6) Temporary on-site construction offices, limited to the period of construction with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
 - (7) Home occupations;
 - (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
 - (9) All municipality owned or controlled facilities, utilities and uses;
 - (10) Private residential swimming pools as an accessory to a residential use;
 - (11) Private unlighted residential tennis courts on the same lot as an accessory to a residential use;
 - (12) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official;
 - (13) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units;
 - (14) For a guest house, the maximum size may not exceed 900 square feet in area on parcels of land under two acres in size or 1,742 square feet on parcels of land two acres or greater in size. It must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition, the uses shall not be sold or conveyed separately without the meeting the requirements of the Subdivision Ordinance;
 - (15) For servant's quarters, the quarters may be a portion of the main building or, if the parcel of land exceeds two acres in size, the quarters may be a separate building not exceeding 1,742 square feet in total floor area. The quarters must comply with all area requirements of the district and may not be made available or used for lease, rent or hire, and the owner of the use may not receive remuneration for the use of one of the above. In addition, the uses shall not be sold or conveyed separately without meeting the requirements of the Subdivision Ordinance; and
 - (16) A single open landscape structure on the same lot as an accessory to a residential use and used as a trellis, arbor, pergola, gazebo, or outdoor kitchen that does not exceed 350 square feet in area and fifteen feet in height.
- (C) Conditional uses (require use permits, see § 159.43).
- (1) Associated recreation and/or community clubs;
 - (2) Guest houses, or separate servant quarters;
 - (3) Accessory buildings that do not conform to the requirements specified in division (B)(4) above;
 - (4) Facilities for railroads or those utilities holding a franchise in the City of Heath;

(5) Paved parking facilities for nonresidential uses that are not allowed in this district if properly screened, buffered and landscaped;

(6) A private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;

(7) A driveway or crosswalk, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district; and

(8) Agricultural use.

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses;

(2) The storage of equipment, material or vehicles, including abandoned vehicles which are not necessary to the uses permitted in this district;

(3) Any use of property that does not meet the required minimum lot size; front side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required; and

(4) Day care centers.

(E) Area requirements.

(1) Minimum lot area: one-half acre (22,000 square feet);

(2) Maximum number of single-family detached dwellings per lot: one;

(3) Minimum square footage per dwelling unit: 1,500 square feet;

(4) Minimum lot frontage width: 90 feet at the front building line;

(5) Minimum lot depth: 175 feet;

(6) Minimum depth of front setback: 30 feet;

(7) Minimum depth of rear setback: 25 feet for main building and ten feet for accessory building or other structure;

(8) Minimum width of side setback:

(a) Internal lot: 15 feet; and

(b) Site yard setback abutting street: 30 feet.

(9) Minimum distance between separate buildings on the same lot or parcel of land: 15 feet;

(10) Minimum length of driveway pavement: From public right-of-way building line or 30 feet whichever is greater;

(11) Maximum building coverage as a percentage of lot area: 35%;

(12) Maximum height of structures: 35 feet; and

(13) Minimum number of paved off-street parking spaces required for:

(a) One single-family dwelling unit: two. An enclosed garage shall not be considered in meeting the off-street parking requirements.

(b) All other uses: see §§ 159.60 through 159.68.

§ 159.23 (SF-15) SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) 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.
- (2) This district is considered to be the proper zoning classification for 15,000 square foot lot developments for single-family dwelling use. This district is intended to be composed of single-family dwellings.
- (3) Areas that are zoned for this use shall have or provide for water, wastewater, drainage and access to paved streets based on single-family usage required by the allowed density.
- (4) It is intended for areas that are properly buffered from nonresidential uses, and protected from pollution and/or environmental hazards or from high volume of non-single-family traffic.
- (5) Developers wishing to restrict their subdivision to lot sizes in excess of what this chapter requires shall use restrictive covenants.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land, in accordance with all other adopted ordinances;
- (2) One detached single-family dwelling per lot;
- (3) A single one-story detached building used as a tool or storage shed, playhouse or similar use, provided the floor area does not exceed 120 square feet and the height does not exceed ten feet (no building permit required);
- (4) A single detached accessory building, built of like materials and design as the main building, that does not exceed 2% of the total square footage of the lot or parcel of land (e.g., 15,000 square feet x .02 = 300 square feet) and 15 feet in height or 50% of the area of the main building. The maximum size may not exceed 900 square feet in area or 15 feet in height;
- (5) Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such sales offices to be maintained at all times;
- (6) Temporary on-site construction offices, limited to the period of construction, with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
- (7) Home occupations;
- (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
- (9) All municipality owned or controlled facilities, utilities and uses;
- (10) Private residential swimming pools as an accessory to a residential use;
- (11) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official;
- (12) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units; and
- (13) A single open landscape structure on the same lot as an accessory to a residential use and used as a trellis, arbor, pergola, gazebo, or outdoor kitchen that does not exceed 350 square feet in area and fifteen feet in height.

- (C) Conditional uses (require use permits, see § 159.43).
- (1) Associated recreation and/or community clubs;
 - (2) Accessory buildings that do not conform to the requirements specified in division (B)(4) above;
 - (3) Facilities for railroads or those utilities holding a franchise in the City of Heath;
 - (4) Paved parking facilities for temporary nonresidential uses that are not allowed in this district if properly screened, buffered and landscaped;
 - (5) A private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;
 - (6) A driveway or crosswalk, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district; and
 - (7) Agricultural use.
- (D) Prohibited uses.
- (1) Any building erected or land used for other than one or more of the preceding specified uses;
 - (2) The storage of equipment, material or vehicles, including abandoned vehicles which are not necessary to the uses permitted in this district;
 - (3) Any use of property that does not meet the required minimum lot size; front side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre as required; and
 - (4) Day care centers.
- (E) Area requirements.
- (1) Minimum lot area: 15,000 square feet;
 - (2) Maximum number of single-family detached dwelling units per lot: one;
 - (3) Minimum square footage per dwelling unit: 1,500 square feet;
 - (4) Minimum lot width: 80 feet at the front building line;
 - (5) Minimum lot depth: 125 feet;
 - (6) Minimum depth of front setback: 30 feet;
 - (7) Minimum depth of rear setback: 25 feet for main building and ten feet for accessory building or other structure;
 - (8) Minimum width of side setback:
 - (a) Internal lot: ten feet; and
 - (b) Side yard setback abutting street: 30 feet.
 - (9) Minimum distance between separate buildings on the same lot or parcel of land: 15 feet;
 - (10) Minimum length of driveway pavement: From public right-of-way to building line or 30 feet whichever is greater;
 - (11) Maximum building coverage as a percentage of lot area: 35%;

- (12) Maximum height of structures: 35 feet; and
- (13) Minimum number of paved off-street parking spaces required for:
 - (a) One single-family dwelling unit: two. An enclosed garage shall not be considered in meeting the off-street parking requirements; and
 - (b) All other uses: see §§ 159.60 through 159.68.

§ 159.24 (D) DUPLEX RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) 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.
- (2) The Duplex Residential District is established to provide adequate space and site diversification, duplex type residential development with two dwelling units per lot, and almost twice the density of a typical single-family development, and to adjust the area requirements accordingly.
- (3) Duplex type development is a low to medium density use, and additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space shall be met before development to such use.
- (4) Duplex developments are not necessarily a buffer between single-family and commercial uses, and should be properly buffered from nonresidential traffic, or from pollution and/or environmental hazards.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land in accordance with other adopted ordinances;
- (2) One single-family detached dwelling must meet the requirements of the SF-15 District;
- (3) One duplex on a lot with fire retardant walls, separate utility meters and separate sewer lines;
- (4) One accessory building not larger than 120 square feet of floor area nor taller than ten feet in height, used as an accessory to a residential use on the same lot;
- (5) Accessory buildings not larger than 100 square feet of floor area nor taller than ten feet in height, used as an accessory to a residential use on the same lot;
- (6) Temporary real estate sales offices located on property being sold, limited to the period of sale with a two-year initial period and one-year extension being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
- (7) Temporary on-site construction offices, limited to the period of construction, with a two-year initial period and one-year extension being authorized by the Planning and Zoning Commission, such offices to be maintained at all times;
- (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
- (9) All municipality owned or controlled facilities, utilities and uses;
- (10) Private residential swimming pool as an accessory to a residential use;
- (11) Home occupations;
- (12) Private unlighted residential tennis courts on the same lot as an accessory to a residential use;

(13) Temporary concentrate batching plants limited to the period of construction, upon approval of location and operation by the Building Official; and

(14) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units.

(C) Conditional uses: (require use permits, see § 159.43).

(1) Associated recreation and/or community clubs;

(2) Facilities for those utilities holding a franchise in the city;

(3) Private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;

(4) A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district; and

(5) Agricultural use.

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses;

(2) The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district;

(3) Any use of property that does not meet the required minimum lot sizes; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage, or density per gross acre as required; and

(4) Day care centers.

(E) Area requirements.

(1) Single-family detached units shall meet the area requirements of the SF-15 District;

(2) Minimum lot area: 15,000 square feet;

(3) Maximum number of single-family attached dwelling units per lot: two;

(4) Minimum square footage per each attached dwelling unit: 1,200 square feet;

(5) Minimum lot width: 90 feet at front building line;

(6) Minimum lot depth: 175 feet;

(7) Minimum depth of front setback: 30 feet;

(8) Minimum depth of rear setback: 25 feet;

(9) Minimum width of side setback:

(a) Abutting structures: separated by fire retardant walls: 0 feet;

(b) Internal lot: ten feet; and

(c) Side yard setback abutting street: 20 feet.

(10) Minimum distance between buildings on the same lot or parcel of land: 15 feet;

(11) Minimum length of driveway pavement from the public right-of-way on a side or rear yard: 20 feet;

- (12) Maximum height of structures: 35 feet;
- (13) Maximum building coverage as a percentage of lot area: 45% of lot area; and
- (14) Minimum number of paved parking spaces required for:
 - (a) Each attached residential dwelling unit: two spaces. An enclosed garage shall not be considered in meeting the off-street parking requirements; and
 - (b) All other uses: see §§ 159.60 through 159.68.

§ 159.25 (TH) TOWNHOUSE RESIDENTIAL DISTRICT.

(A) Purpose.

- (1) The Townhouse Residential District is established to provide adequate space and site diversification for residential development that is single-family, on separate lots, and typically owner occupied.
- (2) The zone recognizes the difference between single-family detached and single-family attached dwelling units, and has adjusted the area requirements accordingly.
- (3) Areas zoned for this use shall have or provide for water and fire protection, wastewater, drainage, access to paved streets, and adequate open space should be met or provided for before zoning to this district.
- (4) Townhouse developments must be properly buffered from nonresidential usage and protected from high volumes of non-single family traffic, or from pollution and/or environmental hazards.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land, in accordance with all other adopted ordinances;
- (2) One single-family detached dwelling (other than zero lot line detached dwellings) shall meet the area requirements of division (E) below; and one single-family detached zero-lot line dwelling shall meet the area requirements of division (F) below;
- (3) Townhouses, attached; or patio homes, detached, with fire walls and zero-lot line;
- (4) Temporary real estate sale offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and a one-year extension being authorized by the Planning and Zoning Commission, such sales offices to be maintained at all times; and
- (5) One accessory building not larger than 120 square feet of floor area nor taller than ten feet in height, used as an accessory to a residential use on the same lot.

(C) Conditional uses (require use permits, see § 159.43).

- (1) Associated recreation and/or community clubs;
- (2) Facilities for those utilities holding a franchise in the city;
- (3) Paved parking facility for nonresidential uses that are not allowed in this district provided they are properly screened, buffered and landscaped;
- (4) Mobile construction offices;
- (5) Private residential tennis court used as an accessory to a residential use if not located on the same lot or utilizing lights;
- (6) A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district;

- (7) Agricultural use; and
 - (8) Day care center and day nursery.
- (D) Prohibited uses.
- (1) Any building erected or land used for other than one or more of the preceding specified uses;
 - (2) The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district; and
 - (3) Any use of property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width.
- (E) Area requirements.
- (1) Single-family dwellings (other than zero-lot line detached dwellings) and duplexes shall meet the area requirements of this division (E);
 - (2) Minimum lot area: 10,000 square feet;
 - (3) Maximum number of single-family attached dwelling units per lot: two;
 - (4) Minimum square footage per dwelling unit: The first floor of each attached dwelling unit shall contain at least 1,200 square feet of enclosed living space;
 - (5) Minimum lot frontage on a public street: 80 feet;
 - (6) Minimum lot depth: 100 feet;
 - (7) Minimum depth of front setback: 30 feet;
 - (8) Minimum depth of rear setback: 25 feet;
 - (9) Minimum width of side setback:
 - (a) Abutting structures: separated by fire retardant walls: 0 feet;
 - (b) Internal lot: 20 feet; and
 - (c) Side yard setback abutting street and arterial: 30 feet.
 - (10) Minimum separation between attached buildings: every 250 feet there shall be a minimum of 20 feet between buildings;
 - (11) Minimum distance between buildings on the same lot or parcel of land: 20 feet;
 - (12) Minimum length of driveway pavement from the public right-of-way from R.O.W. line to building line or 20 feet whichever is greater;
 - (13) Maximum height of structures: 35 feet;
 - (14) Maximum building coverage as a percentage of lot area: 45%;
 - (15) Minimum amount of permanent, landscaped open space: 10% of total lot;
 - (16) Minimum number of off-street parking spaces required for:
 - (a) One single-family attached or detached dwelling unit:
 - 1. Rear or side entry garage: two spaces; and

2. Front entry garage: two spaces. An enclosed garage shall not be considered in meeting the off-street parking requirements.

(b) All other uses: see §§ 159.60 through 159.68.

(17) All common walls shall be constructed of masonry or other fireproof material of ten-inch minimum thickness and extended from the finished floor level to two feet above the roof line.

(F) Area requirements; zero-lot line.

(1) The zero-lot line Townhome 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.

(2) Single-family zero-lot line detached dwellings shall meet the area requirements of this division (F);

(3) Lot area and density:

(a) Minimum lot area: 6,000 square feet; and

(b) Maximum density: no more than five dwelling units per acre.

(4) Minimum square footage per dwelling unit: The floor of each dwelling unit shall contain at least 1,500 square feet of enclosed living space;

(5) Minimum lot frontage on a public street, as measured at the platted front building line: 50 feet;

(6) Minimum lot depth as measured perpendicularly to the center point of the platted front building line: 90 feet;

(7) Minimum depth of front setback: 20 feet;

(8) Minimum depth of rear setback:

(a) Main building: 15 feet; and

(b) Accessory use: five feet. For a swimming pool: an additional one foot for every one foot of pool depth in excess of five feet.

(9) Minimum width of side setback:

(a) Zero lot line abutting adjacent side yard:

1. Main building, one side: zero feet; and

2. Accessory use: five feet. For a swimming pool: an additional one foot for every one foot of pool depth in excess of five feet.

(b) Internal lot:

1. Main building: side opposite zero setback: ten feet; and

2. Accessory use: five feet. For a swimming pool: an additional one foot for every one foot of pool depth in excess of five feet.

(c) Abutting street and arterial: 20 feet.

(10) Minimum length of driveway pavement from the public right-of-way or rear alley right-of-way: 20 feet;

(11) Maximum building coverage as a percentage of lot area: 50%;

- (12) Maximum height of structure: 36 feet; and
- (13) Minimum number of off street parking spaces:
 - (a) Rear or side entry: two spaces;
 - (b) Front entry garage: two spaces. An enclosed garage shall not be considered in meeting the off-street parking requirement; and
 - (c) All other uses: see §§ 159.60 through 159.68.

§ 159.26 (MF-8) HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT.

(A) Purpose.

(1) The (MF-8) High Density Multi-Family District is established to provide adequate space and site diversification for high density areas.

(2) This zone allows high density developments, and should be located where additional requirements for streets, water and fire protection, wastewater, drainage and adequate open space are met. MF-8 uses should not run traffic over long distances of single-family neighborhoods, and should be located close to arterials or collectors capable of carrying the additional traffic.

(3) Multi-family developments are not necessarily a buffer between single-family and commercial uses, and should be properly buffered from nonresidential land uses and traffic, or from pollution and/or environmental hazards.

(B) Permitted uses.

- (1) Agricultural uses on unplatted land in accordance with other adopted ordinances;
- (2) One single-family detached dwelling must meet the requirements of the SF-15 District;
- (3) Duplexes meeting the requirements of the (DP) Duplex Residential District;
- (4) For one townhouse, or patio home per lot, structures must meet the area requirements of TH District;
- (5) Multiple-family dwelling units;
- (6) Temporary real estate sales offices located on property being sold, limited to the period of sale of the lots with a two-year initial period and one-year extensions being authorized by the Planning and Zoning Commission, such office to be maintained at all times;
- (7) Temporary on-site construction offices limited to the period of construction, with a two-year initial period and one-year extension being authorized by the Planning and Zoning Commission, such office to be maintained at all times;
- (8) Paved automobile parking areas which are necessary to the uses permitted in this district;
- (9) Home occupations;
- (10) Municipally owned or controlled facilities, utilities and uses;
- (11) Accessory recreational uses such as tennis courts, swimming pools, designed for use by residents of a specific project. Lighting for such uses shall be designed so as not to glare across property lines, nor glare into residential areas on the same property;
- (12) Temporary concrete batching plants limited to the period of construction, upon approval of location and operation by the Building Official; and

(13) Public, denominational and private schools, churches and public parks essential to create basic neighborhood units.

(C) Conditional uses (require use permits, see § 159.43).

(1) For associated recreation and/or community clubs, the uses shall be included in calculating the coverage requirements of this district;

(2) Facilities for those utilities holding a franchise in the City of Heath;

(3) Portable buildings on the same lot;

(4) Paved parking facilities for nonresidential uses not allowed in this district, if properly screened, buffered and landscaped;

(5) A driveway or crosswalk way, as distinct from a dedicated street, to provide access to premises in a commercial or industrial district;

(6) Day care centers;

(7) Agricultural use; and

(8) One storage building used as an accessory to a residential use on the same lot.

(D) Prohibited uses.

(1) Any building erected or land used for other than one or more of the preceding specified uses;

(2) The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district; and

(3) Any use of the property that does not meet the required minimum lot size; front, side and rear yard dimension; and/or lot width; or exceeds the maximum height, building coverage or density per gross acre is required.

(E) Area requirements.

(1) Townhouses shall meet the requirements of the TH District;

(2) Duplexes shall meet the requirements of the DP District;

(3) Minimum site lot area, as defined herein: one acre;

(4) Minimum living area: 1,000 square feet;

(5) Maximum density per each acre: eight units/acre;

(6) Minimum lot frontage on a public street: 100 feet;

(7) Minimum lot depth: 100 feet;

(8) Minimum depth of front setback: 30 feet;

(9) Minimum depth of rear setback:

(a) One-story structure: 25 feet; and

(b) Two-story structure: 50 feet.

(10) Minimum width of side setback:

(a) Abutting a single-family, townhouse or duplex district:

1. One-story structure: 25 feet; and
2. Two-story structure: 50 feet.

(b) Internal lot: 20 feet; and

(c) Side yard setback abutting street or arterial: 30 feet.

(11) Minimum distance between buildings on the same lot or parcel of land:

(a) Ten feet from main to accessory buildings;

(b) Twenty feet for two main buildings with doors or windows in facing walls; and

(c) Fifteen feet for two main buildings without doors or windows in facing walls.

(12) Maximum building coverage as a percentage of lot area, as defined herein: 45%;

(13) Maximum height of structures: 36 feet;

(14) Minimum amount of permanent, landscaped open space: 20% of total lot area, as defined herein, with 30% of total requirement located in the required front yard as defined. All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes, and approved by the Building Official;

...

§ 159.27 (LR) LOCAL RETAIL DISTRICT REGULATIONS.

(A) Purpose. This chapter is intended to preserve the health, safety, morale and promote the general welfare of the residents of the city by creating regulations and construction standards for the establishment of local retail districts within the city. Particular consideration is given to the necessity of septic sewage systems, the regulation of density developments, the preservation of the rural environment, establishment of noise and site buffer zones, and promotion of quality development likely to hold its value and provide fire protection and safety.

(B) Permitted uses.

(1) Buildings within this district shall be restricted to the following uses: Retail stores, offices, photographic studios, financial institutions, restaurants, municipal buildings, grocery stores, medical and dental offices and clinics, dry cleaning establishments or pickup stations (excluding central dry cleaning plants), barber shops, beauty shops, drug stores, day care and mortuary or funeral chapel. Any high noise or industrial use is not permitted. All other uses are prohibited.

(2) Retail establishments may sell beer and wine for off-premise consumption pursuant to state law and Chapter 116 of the Code of Ordinances by right if they are located on property that was within the city limits as of May 12, 2012;

(3) Alcoholic beverage sales - see Chapter 116, Sale and Distribution of Alcoholic Beverages, of the city's Code of Ordinances.

(C) Conditional uses (require use permits, see § 159.43).

(1) Any form of drive-in or drive-through, including a service window for pick-up, associated with a retail establishment.

(2) Gasoline service station.

(3) Any form of gas fueling station associated with retail use.

(D) Required conditions.

(1) All business operations including storage shall be conducted within a completely enclosed building (except for off-street parking or loading). Sales displays shall be confined to the structures authorized in this chapter. Sales displays outside of the structures authorized in this chapter are prohibited, except by special temporary permit; and

(2) Any owner, builder or developer of a tract or parcel of land located within this district shall submit, prior to the issuance of a building permit, to the Planning and Zoning Commission for review and approval, a site building plan for the proposed development. The contents of this site and building plan shall comply with the requirements as specified in § 159.40 below. Upon approval, the development shall comply with approved site plan.

(E) Area requirements.

(1) Minimum lot area, as defined herein: one acre;

(2) Minimum site frontage on a public street: 100 feet;

(3) Minimum site depth: 200 feet;

(4) Minimum depth of front setback: 50 feet, without parking. First 20 feet shall be landscaped buffer with a minimum two and one-half foot earthen berm;

(5) Minimum width of side setback: 20 feet.

(6) Minimum depth of rear setback: 20 feet;

(7) Minimum distance between detached buildings on the same lot or parcel of land: 20 feet;

(8) Minimum requirement for construction:

(a) Structures: buildings shall have a concrete foundation and floor. Weightbearing walls shall be of masonry material. Non-weightbearing walls shall be constructed with metal studs;

(b) Roofing: shall be 100% noncombustible. Wooden shingles are prohibited;

(c) Exterior building facing: each building facing shall consist of 75% masonry materials; and

(d) Septic tank and lines shall not be under paved areas.

(9) Minimum square footage of building 1,200 square feet;

(10) Maximum square footage of building: 30,000 square feet;

(11) Maximum building coverage as a percentage of lot area, as defined herein: 40%;

(12) Maximum amount of impervious coverage as a percentage of lot area, as defined herein: 65%;

(13) Minimum amount of landscaped areas as a percentage of total lot area, as defined herein: 35%, with 50% of the total requirement located in the required front yard. All required landscaped areas shall be permanently maintained and shall have an irrigation system installed meeting all applicable city codes and approved by the building official;

(14) Minimum distance between landscaping berm and entrance: ten feet;

(15) Maximum height of structures: 25 feet. Any structure over 25 feet shall require a conditional use permit. If building height exceeds 25 feet, the building shall be set back an additional amount of one-half the height of

the building which exceeds 25 feet from all lot lines abutting residentially zoned property measured along a line equal to the median grade level;

(16) Minimum number of paved off-street parking spaces required: see §§ 159.60 through 159.68;

(17) Entrance and/or exit requirements: minimum of two;

(18) Lots with nonresidential uses that have a side or rear contiguous or separated only by an alley, or easement, from any residential district must be separated from such residential district by a masonry wall with a minimum height of six feet permanently maintained by the owner;

(19) Sidewalks shall be required along all streets with a minimum four-foot width. Access ramps to sidewalks for wheelchairs will be required; and

(20) The building code may impose more restrictive area requirements depending on the size, use and construction of the structures.

§ 159.28 (PD) PLANNED DEVELOPMENT DISTRICT.

(A) Purpose.

(1) The city has adopted a Comprehensive Plan which provides for: the maintaining of the current overall density in the city of one dwelling unit per developable of lot area, as defined herein; rezoning of the current agricultural and one-acre zoned areas allowing smaller lot sizes only on an exception basis; and generally maintaining the open, rural atmosphere of the city.

(2) This district is being adopted primarily to facilitate the goals of the Comprehensive Plan by providing the city a zoning district which allows the confirmation of developments proposed by applicants that have varying lot sizes within a given tract(s) of land and which fall between existing zoning categories. This district does not allow a greater number of residential lots than would otherwise be achieved by SF-43 zoning, but instead allows limited flexibility in lot sizes to accommodate particular topography and other natural conditions. The district does not permit mixing of residential and retail or commercial uses, as mixed use residential is not a land use established by the city's Comprehensive Plan.

(3) A planned development (PD) is generally on tracts of land of ten acres or more (but may be considered on smaller tracts) and may include a combination of different dwelling types and/or a variety of land uses which creatively complement each other and harmonize with existing and proposed land uses in the vicinity.

(4) The minimum required amount of acreage in a proposed project for which application for a Planned Development District is made shall be given consideration by the Planning and Zoning Commission with recommendations forwarded to the City Council. Other purposes of the district are to maintain conformity with the Comprehensive Plan, encourage creative development of the land, preserve the natural amenities of land, provide locations for well-planned comprehensive developments, and allow for variety and flexibility in the development patterns of the city.

(5) Although this district permits the flexibility of having different densities in different portions of the district, this district does not allow clusters of dense residential development but instead to facilitate maintenance of current overall density of one dwelling unit per developable acre as described in the Comprehensive Plan.

(6) The City Council is empowered to grant permits for planned developments only after review and recommendation by the Planning and Zoning Commission under the procedure established herein.

(B) Uses permitted. A Planned Development District may only be approved for a use or combination of uses provided for in the Zoning Ordinance including special use permits. The uses permitted in any specific Planned Development District shall be enumerated in the ordinance establishing the districts.

(C) Density and open space regulations.

(1) In accordance with the Comprehensive Plan, land that is classified within any floodplain, also referenced as the 100-year floodplain with fully developed conditions for the entire watershed, shall not be reclaimed nor included as lot area.

(2) To comply with the goals of the Comprehensive Plan, higher percentages of open space should be required as the density is increased or the lot sizes decreased.

(3) The designation of open space as improved, partially improved or unimproved shall be subject to the approval of the Planning and Zoning Commission. The designations shall be determined in consultation with the developer, preferably with on-site inspections and the Planning and Zoning Commission may divide a given area into two or more designations. In making this determination the Planning and Zoning Commission shall be guided by the following factors:

(a) The size and location of these areas in relation to the overall area of the Planned Development District;

(b) The degree to which these areas contribute to the quality, livability and amenity of the Planned Development District; and

(c) The degree to which the developer agrees to improve the land for active or passive recreational purposes.

(D) Area and other requirements.

(1) Except as otherwise provided in this section, area requirements for each use shall be within the maximum and minimum standards applicable to such use as if the use was situated in the zoning district to which it is most similar as determined by the Planning and Zoning Commission, or demonstrate that the intent of the standards has been met in accordance with good planning practices. The zoning district most similar to each use shall be stated in the granting ordinance. Also, in the Planned Development District, each use shall conform to the regulations of the zoning district to which it is most similar as determined by the Planning and Zoning Commission, and the Planned Development District shall conform to all other sections of the Zoning Ordinance, unless specifically excluded in the granting ordinance. All applications to the city 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).

(a) Average lot size shall remain 1 acre lot area, as defined herein.

(b) Minimum lot size shall be 0.5 acre of lot area, as defined herein.

(c) Lots less than 0.75 acre of lot area, as defined herein, shall constitute no more than 205% of total number of lots in any planned development and lots between 0.75 acre and 1 acre of lot area, as defined herein, should constitute no more than 15% of the total number of lots in any planned development.

(d) Lot area, as defined herein, may not be counted towards both residential and commercial or retail purposes. Portions of a development that will be used for commercial or retail purposes may not be included or credited towards residential density calculations.

(2) Modification of the area requirements contained in this section may be allowed by the Planning and Zoning Commission and the City Council when all of the following circumstances are met:

(a) The proposed modifications substantially meet the intent of the Zoning and Subdivision Ordinances;

(b) The proposed modifications help preserve the natural amenities of the land and/or are justified by unusual or unique characteristics of the subject property;

(c) The proposed modifications shall not be granted to relieve a self-created or personal hardship, nor for financial reason only.

....

§ 159.30 LAKE EDGE ZONING DISTRICT.

(A) This subchapter is hereby amended by the addition of this section as set out in its entirety in the document prepared by HNTB, Dallas, Texas, and attached hereto and incorporated herein and labeled Exhibit A.

...

(D) Any requested exception with respect to Exhibit A that pertain to architectural controls or standards shall be determined by the Building Official. An appeal of the Building Official's decision may be made to the Board of Adjustment, upon application being made by the applicant within ten days of the Building Official's decision. Any requested exception to the area requirements of Exhibit A, including setbacks, minimum lengths or widths, or other exception, shall be determined by the Planning and Zoning Commission and City Council.

GENERAL PROVISIONS

§ 159.40 SITE PLAN APPROVALS.

(A) Purpose. The purpose of the site plan is to ensure compliance with the Zoning Ordinance and to assist in the orderly and harmonious development of the city, to protect and enhance the general welfare, and to help prevent the impairment or depreciation of land values and development by the erection of structures, additions or alteration thereto without proper attention to site planning. The purpose of the site plan review is:

- (1) To ensure compliance with the zoning ordinance, while allowing for design flexibility;
- (2) To assist in the orderly and harmonious development of the city;
- (3) To protect adjacent uses from obstructions to light, air and visibility;
- (4) To provide protection from fire;
- (5) To avoid undue concentrations of population and overcrowding of land; and
- (6) To facilitate the adequate provision of transportation, water, sewage, drainage and other public requirements.

(B) When required. If, in the determination of the planning and Zoning Commission or City Council, a site plan is deemed necessary in order to elevate a proposed use, or as required under any other provision of this section, such site plan shall be submitted in the form and number as required by the Planning and Zoning Commission.

(C) Contents. The site plan shall contain drawings to scale to indicate as needed:

- (1) The location of all existing and planned structures on the subject property and approximate locations of structures on adjoining property within 100 feet;
- (2) Landscaping lighting and/or fencing and/or screening of yards and setback areas;
- (3) Design of ingress and egress;
- (4) Off-street parking and loading facilities;
- (5) Location of fire lanes;
- (6) Location of solid waste collection facilities;
- (7) Height of all structures;
- (8) Proposed uses;
- (9) The location and types of all signs, including lighting and heights;

- (10) Elevation drawings citing proposed exterior finish materials;
- (11) Street names on proposed streets; and
- (12) Additional information and detail as the Zoning Administrator deems necessary.

(D) Approval. The City Council, after review and recommendation by the Planning and Zoning Commission may approve a site plan if the proposed development meets all the minimum standards established in this subchapter and other applicable ordinances, and if the City Council finds that the proposed development will not be detrimental to the health, safety or welfare of the surrounding neighborhood or its occupants, or be substantially or permanently injurious to neighboring property. It shall disapprove or conditionally approve any application that fails to meet the above criteria or is in conflict with the Comprehensive Plan or the adopted growth policies of the city.

(E) Submission to Planning and Zoning Commission for review. The site plan shall be submitted to the City Secretary two weeks prior to the regularly scheduled Planning and Zoning Commission for review. The Building Official or his designee shall review these plans as quickly as possible, but in no case shall he or she delay submission beyond one Planning and Zoning Commission meeting.

...

§ 159.42 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words used in the present tense include the future; words in the singular number include the plural; and words in the plural number include the singular; the word "structure" includes the word "structure" includes the word "building"; the word "shall" or the word "must" is mandatory; the term "used for" includes the meaning "designed for" or "intended for;" the word "lot" includes the word "plot."

...

CLUSTER DEVELOPMENT. A method of development of land that uses variation in lot sizes without an increase in overall density of population or development.

...

DISTRICT OR USE DISTRICT. A zone or geographic area within the municipality within which certain zoning or development regulations apply.

...

FLOOR AREA RATIO. The relationship of the gross floor area of all buildings on a lot to the total lot area, as defined herein. Parking structures shall be excluded in the calculation of the FLOOR AREA RATIO.

...

LOT. An undivided tract or parcel of land that meets lot area requirements in the applicable use district having a frontage on a public street, or upon an approved open space, having direct street access, and which is, or in the future may be, offered for sale, conveyance, transfer or improvement, which is designated as a distinct separate tract, and which is identified by a tract or lot number or symbol in a duly approved subdivision plat which has been properly filed of record.

LOT AREA, Area limited to land not located in any floodplain; land that does not constitute rivers, lakes, and streams; and/or land that is not located in any rights-of-way, including alley easements. Includes internal sidewalks, recreation areas, building coverage, parking area, and open space and utility easements.

...

NONCONFORMING USE, BUILDING or YARD. A lot, use, building, structure, or yard, which does not, by reason of design, use or dimensions, conform to the regulations of the district in which it is situated. It is a legal nonconforming lot, use, building, structure, or yard if established prior to the passage of this chapter and/or this ordinance.

...

FLOODPLAIN. Also referenced as the 100-year floodplain with fully developed conditions for the entire watershed. The area that is certified by a professional engineer to be within the 100-year floodplain, assuming build-out or fully developed conditions for the entire area within the relevant watershed.

...

RETAIL STORE. A retail establishment including small shops, small shopping centers, restaurants, and cafes.

RIGHT-OF-WAY. The surface of, and the space above and below a public street, road, highway, freeway, land, path, public way or place, alley, court, boulevard, parkway, drive, or other easement in which the city or any other governmental entity has any interest (including any street, as defined, which is acquired by eminent domain) and shall include other easements or rights-of-way now or hereafter held by the city or any governmental entity (including any easements or rights-of-way acquired by eminent domain).

...

§ 159.43 CONDITIONAL USE PERMITS; PERMIT REQUIREMENTS.

The purpose of the regulations described by this subchapter is to allow the compatible and orderly development, within the city, of uses that may be suitable only in certain locations in a zoning district, if developed in a specific way or only for a limited period of time.

...

§ 159.49 NONCONFORMING USES.

The general public, the City Council and the Planning and Zoning Commission are directed to take note that nonconformities in the lot, use, and/or development of land and buildings are to be avoided, or eliminated where now existing, wherever and whenever possible, except: when necessary to preserve property rights established prior to the date these regulations become effective as to the property in question; and when necessary to promote the general welfare and to protect the character of the surrounding property. Except as hereinafter specified, any lot, use, building, structure, or yard lawfully existing at the time of the enactment of this chapter or lawfully existing at the time of annexation into the city may be continued with the provisions of this chapter for the district in which it is located.

...

(J) Nonconforming lot sizes. Nothing in this chapter shall be construed to prohibit the use of a lot that does not meet the minimum lot area, as defined herein, width or depth of the district it is located in, provided that the lot was previously zoned for similar type uses, that the lot was on record prior to the adoption of this chapter, and that the lot has not been rezoned to a different use since the adoption of this chapter.

§ 159.50 WIND ENERGY SYSTEMS.

(A) Purpose. The purpose of this section is to regulate and to allow in appropriate zoning districts the safe, effective and efficient use of small wind energy systems installed to reduce the on-site production and consumption of utility supplied electricity while respecting the individual rights of all property owners. It is in the public interest to regulate the use of small wind energy systems in appropriate zoning districts consistent with the regulations hereinafter adopted.

...

(d) General regulations. The following general regulations must be demonstrated and apply to all wind energy systems within any district for which a permit, including a conditional use permit, is under consideration and/or granted.

(1) The proposed site of a wind energy system shall have sufficient access to unimpeded airflow for adequate operation of the wind energy system in accordance with the manufacturer's recommendations.

....

Section 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

Section 5. Severability. Should any section, subsection, sentence, clause, phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Heath hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

Section 6. Penalty. Any person, firm, entity or corporation who violates any provision of this Ordinance or Heath's Zoning Ordinance Chapter 159, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding Two Thousand and No/100 Dollars (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Heath from filing suit to enjoin the violation. Heath retains all legal rights and remedies available to it pursuant to local, state, and federal law.

Section 7. Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption and penalty clause hereof as the law and Charter of the City in such cases provides.

Section 8. Open Meetings. That it is hereby found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Heath, Texas, on this the 11th day of December, 2018.



Kelson Elam, Mayor

ATTEST:



Norma Duncan, City Secretary



APPROVED AS TO FORM:



Wm. Andrew Messer, City Attorney

CITY OF HEATH, TEXAS
ORDINANCE NO. 260526X

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEATH, TEXAS, AMENDING CHAPTER 159, “ZONING” OF THE CODE OF ORDINANCES, TO GRANT A CONDITIONAL USE PERMIT TO ALLOW FOR AN AMBULANCE SERVICE ON PROPERTY ZONED (SF-43) SINGLE-FAMILY RESIDENTIAL DISTRICT, BEING A 1.025-ACRE TRACT OF LAND SITUATED IN THE E. TEAL SURVEY, ABSTRACT NO. 207, TRACT 11, ADDRESSED AS 6834 S. FM 549, CITY OF HEATH, ROCKWALL COUNTY, TEXAS, REFERENCED AS ROCKWALL COUNTY CENTRAL APPRAISAL DISTRICT PROPERTY ID NUMBER 12649; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with section 159.21(C)(9) allows the City Council to grant a conditional use for ambulance services for companies contracted with the Rockwall County Emergency Services Corporation or otherwise contracted to provide ambulance services within the City of Heath’s (the “City”) jurisdiction; and

WHEREAS, a conditional use permit for an ambulance services on property zoned (SF-43) Single-Family Residential District land uses and within the City has been requested by Tim Wolf, owner of the subject property located at 6834 S. FM 549, Heath, Texas, and described as a 1.025-acre tract of land situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas, being Rockwall Central Appraisal District Property ID Number 12649, and more specifically described in Exhibit ‘A’ attached hereto and is incorporated herein by reference (the “Property”); and

WHEREAS, the conditional use permit applicant and Property owner is an ambulance service provider currently contracted with the Rockwall County Emergency Services Corporation to provide ambulance services within the City’s jurisdiction; and

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Heath, Texas in compliance with the laws of the State of Texas and the ordinances of the City of Heath, Texas, have given the requisite notices by publication and otherwise, have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof; and

WHEREAS, City Council desires to amend Chapter 159 “Zoning” and issue a conditional use permit to allow for the provision of ambulance services on the Property and that such conditional use permit is in the health, safety and welfare of the citizens of Heath and the general public.

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

Section 1. Incorporation of Premises. All of the above premises are found to be true and correct and are incorporated into the body of this Ordinance as if copied in their entirety.

Section 2. Authorization. In accordance with section 159.21(C)(9), Chapter 159, Zoning, of the City of Heath Code of Ordinances is hereby amended to grant a Conditional Use Permit in an (SF-43) Single-Family Residential District on the property located at 6834 S. FM 549, Heath, Texas, and described as a 1.025-acre tract of land situated in the E. Teal Survey, Abstract No. 207, Tract 11, City of Heath, Rockwall County, Texas, and more specifically described herein as *Exhibit 'A'*, attached hereto and incorporated herein for all purposes (the "Property"), for an ambulance service contracted with Rockwall County Emergency Services Corporation. The Property shall only be used in the manner and for the purpose provided for in Chapter 159, Zoning of the City of Heath Code of Ordinances, as amended, by granting of this Conditional Use Permit (CUP) with the following conditions:

1. That the Property generally conform to the site plan attached as Exhibit "B"; and,
2. That this Conditional Use Permit (CUP) may be revoked if a contract for services has not been fully executed for ambulance services with Rockwall County Emergency Services Corporation or a company is not otherwise contracted to provide ambulance services within the City's jurisdiction.

Section 3. Repealer. This Ordinance shall be cumulative of all provisions of all ordinances of the City of Heath, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

Section 4. Severability. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 5. Penalty. Any person, firm or corporation violating any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, in the municipal court of the City of Heath, Texas, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

Section 6. Effective Date. This Ordinance shall take effect immediately from and after its passage, and the publication of the caption, as the law and Charter in such cases provide.

Remainder of page intentionally left blank.

PASSED, APPROVED, AND ADOPTED on this the 26th day of May 2026.

APPROVED:

Jeremiah McClure, Mayor

ATTEST:

Norma Duncan, City Secretary

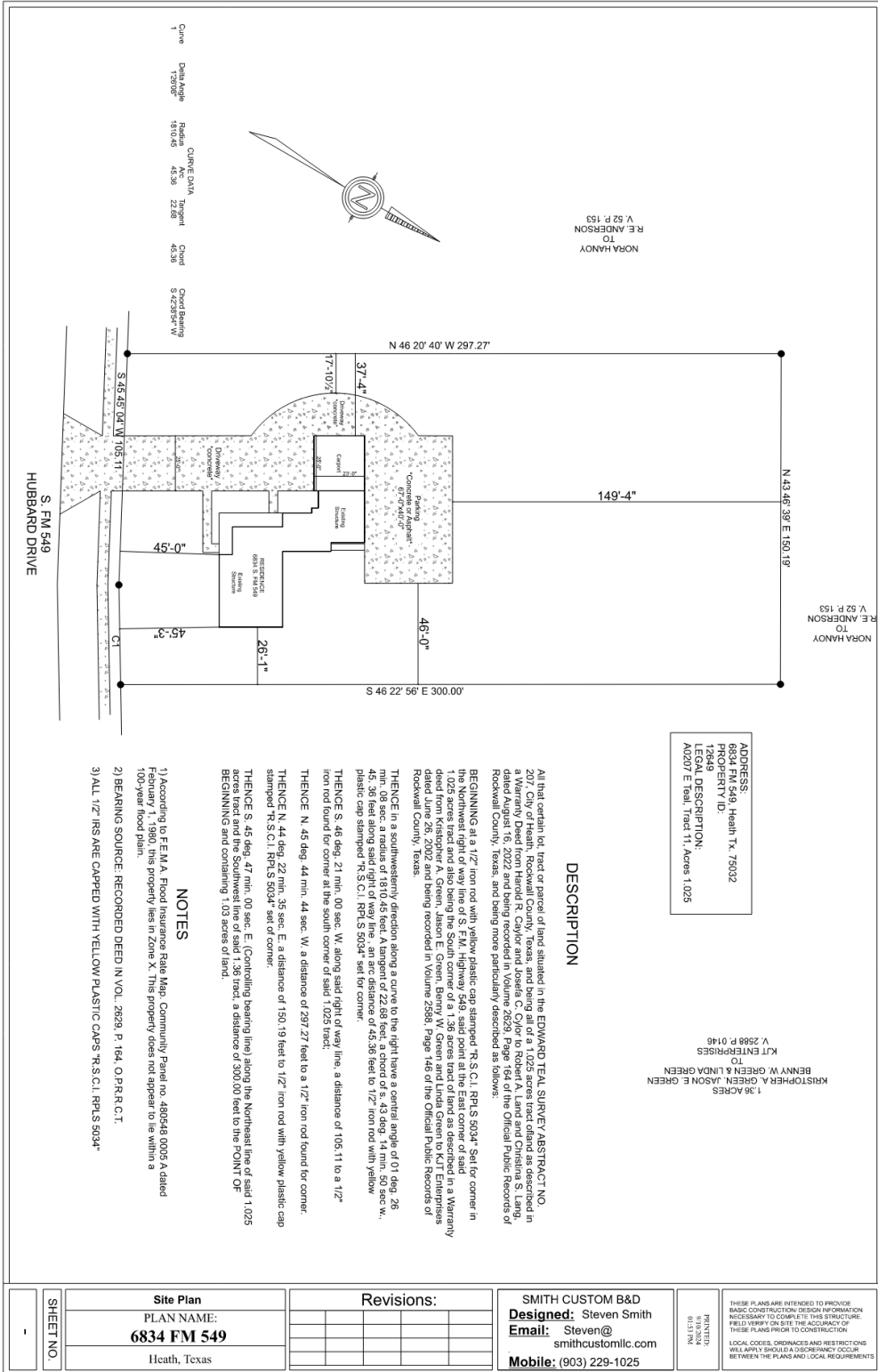
APPROVED AS TO FORM:

Marie Johnson, Assistant City Attorney

EXHIBIT 'A' - Survey



Exhibit 'B' – Site Plan



DESCRIPTION

All that certain lot, tract or parcel of land situated in the EDWARD TEAL SURVEY/ABSTRACT NO. 22, 1/2 section 10, Township 33N, Range 14E, County of Rockwall, State of Texas, as shown on a Warranty Deed from Harold R. Caylor and Josie C. Caylor to Robert A. Land and Christine S. Lang, dated August 16, 2022 and being recorded in Volume 26291, Page 164 of the Official Public Records of Rockwall County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPL S 5034" set for corner in the Northwest right of way line of S. F.M. Highway 549, said point at the East corner of said 1.025 acres tract and also being the South corner of a 1.36 acres tract of land as described in a Warranty deed from Kristopher A. Green, Jason E. Green, Benny W. Green and Linda Green to KJT Enterprises dated February 1, 1980, this property lies in Zone X, and being more particularly described as follows: **Rockwall County, Texas.**

THENCE in a southerly direction along a curve to the right have a central angle of 01 deg, 26 min., 08 sec.; a radius of 1810.43 feet; a tangent of 22.68 feet; a chord of s. 43 degs., 14 min., 50 sec. w.; a distance of 45.39 feet to 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPL S 5034" set for corner.

THENCE S. 46 deg, 21 min., 00 sec. W, along said right of way line, a distance of 105.11 to a 1/2" iron rod found for corner at the south corner of said 1.025 tract;

THENCE N. 45 deg, 44 min., 44 sec. W, a distance of 297.27 feet to a 1/2" iron rod found for corner.

THENCE N. 44 deg, 22 min., 35 sec. E, a distance of 150.19 feet to 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPL S 5034" set of corner.

THENCE S. 45 deg, 47 min., 00 sec. E, (Controlling bearing line) along the Northeast line of said 1.025 acres tract and the Southwest line of said 1.36 tract; a distance of 300.00 feet to the **POINT OF BEGINNING** and containing 1.03 acres of land.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map, Community Panel no. 480548 0005 a dated February 1, 1980, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED DEED IN VOL. 26291, P. 164, O.P.R.R.C.T.
- 3) ALL 1/2" IRIS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPL S 5034"

ADDRESS:
6834 FM 549, Heath, TX, 75032
PROPERTY ID:
12649
LEGAL DESCRIPTION:
A0207 E 1st, Tract 11, Acres 1.025

KJT ENTERPRISES
V. 2568 P. 0146
BENNY W. GREEN, JASON E. GREEN
KRISTOPHER A. GREEN, LINDA GREEN
1.36 ACRES

SMITH CUSTOM B&D
Designed: Steven Smith
Email: Steven@smithcustomllc.com
Mobile: (903) 229-1025

PRINTED:
11:44 AM
06/15/2024

THESE PLANS ARE INTENDED TO PROVIDE BASIC CONSTRUCTION DESIGN INFORMATION NECESSARY TO CONSTRUCT THIS STRUCTURE. FIELD VERIFY ON SITE THE ACCURACY OF THESE PLANS PRIOR TO CONSTRUCTION. LOCAL CODES, ORDINANCES AND RESTRICTIONS WILL APPLY. SHOULD A DISCREPANCY OCCUR BETWEEN THE PLANS AND LOCAL REQUIREMENTS

SHEET NO.	Site Plan PLAN NAME: 6834 FM 549 Heath, Texas	Revisions: <table border="1" style="width: 100%; height: 40px;"> <tr> <td style="width: 5%;"> </td> <td style="width: 15%;"> </td> <td style="width: 15%;"> </td> <td style="width: 15%;"> </td> <td style="width: 15%;"> </td> <td style="width: 15%;"> </td> </tr> </table>						



CITY of HEATH

Planning & Zoning Commission

Agenda Brief

MEETING DATE: 05/05/2026

AGENDA ITEM: 4.d

Item:

Discussion and consideration of Case No. SP-26-1 for the approval of a site plan requested by Douphrate & Associates, Inc. for medical office buildings located on Lot 2, of the Heath Horizon MOB Addition, zoned (PD-LR) Planned Development District for (LR) Local Retail District land uses and generally situated at the intersection of Horizon Road and Jeff Boyd Road, City of Heath, Rockwall County, Texas.

Applicant:

Douphrate & Associates, Inc.

Owners:

Legacy One Real Estate, LLC

Current Zoning:

(PD-LR) Planned Development District for Local Retail District land uses

Background:

The applicant, Douphrate & Associates, Inc., has submitted a request for architectural and site plan review and approval or direction for the Heath Horizon MOB Addition, Lot 2 for a proposed 20,150 square foot medical office building (Phase 1) and a 6,250 square foot medical office building (Phase 2) in accordance with Section 159.40, Site Plan Approvals, of the City of Heath Code of Ordinances. The property is located at the intersection of Horizon Road and Jeff Boyd Road and is zoned (PD LR) Planned Development District for (LR) Local Retail District.

The applicant has provided an architectural site plan, building elevations, landscape plan, photometric plan, building materials sample board, drainage area map and storm plan, and an office floor plan for review. The Phase 1 medical office building will be constructed using the same architectural materials as the adjacent Sandknop Heath MOB located west of the subject site, establishing a consistent thematic appearance.

When fully developed (Phase 1 and Phase 2), the property will be accessed from Horizon Road and Jeff Boyd Road, with shared access drives and internal circulation designed to accommodate full buildout. Phase 2 will be constructed at a future date and will require submittal and approval of an amended site plan prior to construction.

The staff met with the Architectural Review Board (ARB) on April 23, 2026. After discussion, the ARB had questions regarding the landscape plan pertaining to drought tolerance, orientation of the trash dumpster that is located on northwest side of the property, and that the shared parking spaces should include cut throughs for pedestrian traffic. After the discussion, the ARB approved a motion to recommend Conditional Approval of the site plan with Staff recommendations and the following additional conditions:

1. Consider alternative landscaping materials that will achieve further water conservation efforts;
2. Reorient the trash dumpster located on the western portion of the site to alleviate traffic concerns; and,
3. Incorporate walking space cut throughs associated with the shared parking spaces to the site.

The motion was approved by a vote 6-0, with Board Member Anderson absent.

APPLICABLE REGULATIONS

This request is subject to the following sections of the City of Heath Code of Ordinances:

Section 159.40(C) - Contents, requiring Architectural Review Board review of:

1. Location of all existing and proposed structures and approximate locations of structures on adjoining property within 100 feet;
2. Landscaping, lighting, fencing, and screening of yards and setback areas;
3. Design of ingress and egress;
4. Off street parking and loading facilities;
5. Location of fire lanes;
6. Location of solid waste collection facilities;
7. Height of all structures;
8. Proposed uses;
9. Location and type of signage, including lighting and heights;
10. Elevation drawings citing exterior finish materials;
11. Street names on proposed streets; and
12. Additional information as deemed necessary by the Zoning Administrator.

Section 159.64(E) - Medical or Dental Clinic off street parking requirements.

Section 159.65 - Shared parking lots, allowing parking to be shared between uses or phases when supported by site design and demonstrated parking demand.

PARKING REQUIREMENTS

The applicant is required to meet the off-street parking standards of Section 159.64(E) for medical office uses, and as stipulated by the PD ordinance. The site plan provides 167 parking spaces for the combined Phases 1 and 2, based on a ratio of one (1) parking space per 150 square feet of floor area, however, the site requires 176 parking spaces when fully developed for the medical office use and would be deficient by nine parking spaces.

With the development being proposed as a phased project, the applicant intends to file a shared parking arrangement pursuant to Section 159.65 at the time of Phase 2 construction. The ownership of the adjacent property (i.e. Sandknop Health MOB) will provide the additional nine (9) parking spaces within the shared parking area to ensure continued compliance with adopted parking standards and operational demand at full development. The Sandknop Health MOB has excess parking totaling nine spaces and can accommodate the deficiency.

Parking compliance for each phase shall be demonstrated at the time of site plan review, and all required

parking spaces shall be constructed prior to occupancy of the associated building. The shared parking arrangement shall be memorialized through a recorded agreement in accordance with Section 159.65. City Council approval is only required upon renewal of the agreement, if applicable.

STAFF ANALYSIS

Architecture & Site Design:

Phase 1 establishes the architectural character intended to be continued in Phase 2, resulting in a cohesive office park development when considering the adjacency to the Sandknop Health MOB from a thematic perspective.

Phasing:

The site plan reflects a coordinated development pattern that accommodates Phase 1 operations while anticipating Phase 2 construction through shared access, circulation, and parking areas.

Parking:

The site is designed with a shared parking layout consistent with Section 159.65, allowing parking to be provided incrementally while ensuring adequate capacity at full buildout, including additional spaces for Phase 2 with the Sandknop Health MOB.

Code Compliance:

Staff finds the proposal generally consistent with the intent of Sections 159.40, 159.64(E), and 159.65, subject to Planning and Zoning Commission comments or conditions.

PLANNING AND ZONING COMMISSION ACTION REQUESTED

The Planning and Zoning Commission is asked to:

1. Review the site plan and architectural elevations for Phase 1 and the conceptual site layout for Phase 2 (future); and
2. Provide direction, conditions, or approval pursuant to Section 159.40, including confirmation of compliance with applicable parking and shared parking requirements.

Financial Impact:

None

Legal Impact:

None

Staff Recommendation:

STAFF RECOMMENDATION

Staff supports the recommendations of the Architectural Review Board (ARB) as presented and is recommending Conditional Approval of the site plan and architectural concept, subject to the following conditions:

1. Compliance with the off-street parking requirements of Section 159.64(E) for both phases;
2. Provision of an additional nine (9) parking spaces within the shared parking area of the Sandknop Health MOB lot at the time of Phase 2 construction, in accordance with Section 159.65;
3. Consistent architectural materials, colors, and design elements between Phase 1 and Phase 2;
4. Consider alternative landscaping materials that will achieve further water conservation efforts;
5. Reorient the trash dumpster located on the western portion of the site to alleviate traffic concerns;
6. Incorporate walking space cut throughs associated with the shared parking spaces to the site; and,

7. Any additional conditions imposed by the Planning and Zoning Commission.

Attachments:

[Application.pdf](#)

[Shared Parking Agreement - Letter City of Heath Sandknop Health Group -- 4.16.2026.pdf](#)

[Location Map \[SP-26-1\].pdf](#)

[Zoning Chart - Ordinance No. 170808A.pdf](#)

[Site Plan r1 \(SP-26-1\) 04.11.026.pdf](#)

[Building Elevations r1 \(SP-26-1\) 04.11.026.pdf](#)

[Material Samples Board r1 \(SP-26-1\) 04.11.026.pdf](#)

[Landscape Plan r1 \(SP-26-1\) 04.11.026.pdf](#)

[Photometric Plan r1 \(SP-26-1\) 04.11.026.pdf](#)

[Drainage Area Map r1 \(SP-26-1\) 04.11.026.pdf](#)



SITE PLAN APPLICATION

Based on the City of Heath Code of Ordinances, Zoning Regulations,
§ 159.40 Site Plan Approvals

	<u>LEGAL OWNER:</u>	<u>APPLICANT (IF DIFFERENT):</u>
Name (printed):	<u>Legacy One Real Estate,</u>	<u>Douphrate & Assoc. Inc</u>
Mailing Address:	<u>LLC.</u>	<u>2235 Ridge Rd</u>
	<u>6785 Horizon Rd</u>	<u>Rockwall, TX 75087</u>
	<u>Suite 100, Heath, TX 75032</u>	
Telephone Number:	<u>469-744-7138</u>	<u>972-742-2210</u>
Email Address:	<u>ajtaneja@gmail.com</u>	<u>wldouphrate@douphrate.com</u>

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

Heath Horizon MOB Lot 2 Inst. # 2022000018682

ADDRESS OF PROPERTY INVOLVED: 6785 Horizon Rd

COUNTY CAD PARCEL ID NUMBER(S): 339328

SUBDIVISION NAME: Heath Horizon MOB

CURRENT ZONING OF THE PROPERTY: _____

PROJECT TITLE: Heath Horizon MOB Lot 2

REASON FOR REQUEST: Site Plan Application

Owner Signature:  Date: 2/17/26

CITY OFFICE USE ONLY:			
Fees paid \$ _____	Check # _____	CC _____	Cash _____
Checklist submitted: _____			
DRC Review Comments: _____			
ARB Meeting Date: _____		Recommendation: _____	
P&Z Meeting Date: _____		Recommendation: _____	
City Council Meeting Date: _____		Action: _____	

Subdivision Name: _____

Project Title: _____

TYPE OF PROJECT:

- Multi-Family or Townhome project
- Retail/Office project in the LR District or PD-LR District
- Retail/Office project in the Towne Center Overlay District
- Entry Feature
- Other Building Type; Describe Medical Office Bldg

The Heath Code of Ordinances can be found at: www.heathtx.com/business/codes/ordinances/

The Development Review Committee (DRC) comprises staff from various City departments, who review your project and identify any issues. Meeting dates are established on the Application Review Schedules found at: <https://www.heathtx.com/development/>

CRITERIA FOR PROJECT REVIEW

The appropriate reviewing body reviews the exhibits, together with the reports of the Planning Division, and based on these documents, the evidence submitted, and the considerations set forth below, may approve the project as applied for, approve the project with modifications, or disapprove the project. In taking action, the reviewing body shall consider the following considerations:

1. Controls should be exercised to achieve a satisfactory quality of design in the individual building and its site, appropriateness of the building to its intended use and the harmony of the development with its surroundings. Factors include:
 - a. The appropriate use of quality materials.
 - b. Harmony and proportion of the overall design.
 - c. The architectural style should be appropriate for the proposed project, and compatible with the overall character of the neighborhood.
 - d. The siting of the structure on the property in relation to the siting of other structures in the immediate neighborhood.
 - e. Topography and grading on adjacent properties.
 - f. Analysis of the size, location, design, color, number, lighting, and materials of any appropriate signs.
 - g. The bulk, height, and color of the proposed structure as compared to the bulk, height, and color of other structures in the immediate neighborhood.
 - h. Other determining factors/parameters, such as zoning ordinance requirements, historic district guidelines, and/or specific plans.
2. Ingress, egress, internal traffic circulation, off-street parking facilities, and pedestrian ways shall be designed to promote safety and convenience and shall conform to required City standards.

SITE PLAN SUBMISSION CHECKLIST:

Requirements for all site plan projects:

- Submit nine (9) 11" x 17" copies of each plan set and one digital copy in PDF format on a flash drive.
- Title for each sheet, scale, north arrow, and date.
- Name and phone number of the LISCENSED person preparing the plans.

Site Plan, including:

- Vicinity Map indicating the site and surrounding streets.
- Aerial Context Map showing proposed, existing, and surrounding uses.
- Property lines and dimensions, all easements, distances between buildings, and property lines.
- Proposed and existing public streets, curbs, sidewalks, and driveways.
- If new grading is proposed, a preliminary drainage plan including cut and fill areas, elevation contours, slope percentages, and detention/retention features.
- Outlines of proposed structures, including walls, doors, and windows.
- Proposed automobile, bicycle, handicapped parking spaces, drive aisles, loading areas, curbing, car stops, direction of traffic flow, etc. Include dimensions and locations.
- Proposed sidewalks and pedestrian paths/trails.
- Proposed retaining walls, fences, electrical transformer boxes, trash enclosures, and screening, including locations, finishes, and dimensions. If you are proposing trash enclosures, please provide elevations for all walls and doors proposed for the enclosure.
- Note the square footage of existing and proposed buildings and their % of lot coverage.
- Note the square footage and percentage of lot areas for the total impervious surface on plans.
- Existing Site Conditions. Said plan shall identify existing structures, trees, landscaping paving, drainage courses, and other pertinent man-made and natural features, where applicable.
- To determine parking requirements, provide the following information based on building use:
 - Retail and commercial use square footage: _____
 - Restaurant or amusement establishment seating (indoor and outdoor): _____
 - Bar seating (indoor and outdoor): _____
 - Church, temple, or assembly hall seating: _____
 - General office square footage: _____
 - Medical or dental office/clinic square footage: 31,000
 - Salon, spa, barber shop, number of stations to serve customers: _____
 - Nursery, daycare, and kindergarten enrollment _____ square footage:
 - (Note: an off-street drive and loading space for a minimum of four cars is required)
 - Recreational or community building square footage: _____
 - Schools (except high school or college) number of classrooms: _____
 - High school enrollment: _____
 - Technical school, junior college, or college square feet of classroom seating: _____
 - Number of outdoor play fields: _____
 - Golf course, number of greens: _____ Number of employees: _____
- Any other items deemed appropriate for review by the Development Review Committee.

Architectural Plans, including:

- Building Elevations with materials percentages for each building elevation and colors identified.
- Finished Floor Elevations.
- Exterior Lighting Plan showing lighting locations and details of fixture types. A Photometric Plan may be required for larger projects. The applicant shall certify that glare from exterior lighting will not trespass across property lines nor onto adjoining residential properties.
- Show all visible accessory fixtures (i.e., gas, meters, mechanical equipment, air conditioners, etc.), including roof-mounted equipment, and the proposed screening method.
- Roof plans. Identify all roof pitches.
- Colors and materials board(s). Within the plan set, include a sheet with all information on the board(s).
- Minimum scale of plans should be 1/8" = 1'-0".
- Indicate the type of construction and occupancy classification.

Signage Plans, including:

- Signage requirements of Section 151 of the Heath Code of Ordinances, as amended, will apply to the subject property. Pole signs shall not be permitted.
- Signs may include nationally branded colors and logos of tenants.
- Monument signs shall be constructed of like materials and designed as the main structure.

Landscape Plans, including:

- Location and size of trees and plant materials are shown on the site plan drawing and in tabular form.
- Existing trees shall be preserved in accordance with Section 158.35 through 157.43, Heath Code of Ordinances, as amended, and shall not be removed unless the P&Z Commission and City Council approve a Treescape Plan.
- Indicate areas, percentage of the total site for landscaped areas, and percent of landscape areas between the main building and widest street.

Site Plans in the Towne Center Overlay District, require the following:

- Photographs of surrounding buildings within at least 300 feet of the property and throughout the Towne Center Overlay District.
- A written description of the architectural style chosen for the proposed building and how the chosen style fits within the visual context of buildings within 300 feet of the property and throughout the Towne Center Overlay District.
- Description of the proposed use for the building(s) including typical hours of operation, the approximate number of employees, the approximate number of customers/patients served daily, delivery schedules, and specific operational aspects that may be unique to the proposed use.



April 16, 2026

City of Heath
Planning & Development Department
Heath, Texas 75032
Attn: David Gonzales

Re: Shared Parking Lot Agreement — Heath MOB Phase II
6785 Horizon Road, Heath, Texas
Lots 1 & 2

Dear David,

This letter is submitted on behalf of the ownership of the above-referenced property in connection with the pending site plan application for the Heath Medical Office Building Phase II development (Lot 2) located adjacent to our property located at 6785 Horizon Road, Heath, Texas (Lot 1).

Pursuant to Section 159.65 of the City of Heath Code of Ordinances (Shared Parking Lots), the undersigned owner hereby confirms and agrees to the provisions regarding (i) shared parking authorization, (ii) same ownership, (iii) proximity, (iv) zoning compliance, and (v) recorded agreement.

The ownership of Lots 1 and 2 at 6785 Horizon Road, Heath, Texas agrees to the establishment of nine (9) shared parking spaces on Lot 1 for benefit of Lot 2 occupants and employees.
the main building.

Additionally, we can confirm the provided parking spaces are located within 200 feet of the main building entrance being served and that the shared parking lot is not located on residentially zoned property.

This parking agreement between Lot 1 and Lot 2 shall be a recorded agreement and said agreement shall be executed in a form acceptable to the City of Heath. The ownership further acknowledges that said agreement shall be valid for a period of no less than two (2) years and may be eligible for renewal with City Council approval.

This letter is provided for the purpose of satisfying the City's site plan application requirements and confirms ownership's full cooperation and intent to comply with all applicable provisions of § 159.65 of the City of Heath Code of Ordinances.

Please do not hesitate to contact the undersigned with any questions or if additional documentation is required.

Sincerely,

A handwritten signature in black ink, appearing to read "Vineeth Kumar", is written over a horizontal line. The signature is stylized and somewhat cursive.

Dr. Vineeth Kumar
Manager
SKWR, LLC & Sandknop Health
6785 Horizon Road, Suite 100
Heath, TX 75032

Location Map – SP-26-1



Vicinity Map
(Not to scale)

Heath Horizon MOB Addition

Discussion and consideration of Case No. SP-26-1 for the approval of a site plan requested by Douphrate & Associates, Inc. for medical office buildings located on Lot 2, of the Heath Horizon MOB Addition, zoned (PD-LR) Planned Development District for (LR) Local Retail District and generally situated at the intersection of Horizon Road and Jeff Boyd Road, City of Heath, Rockwall County, Texas.



North Arrow



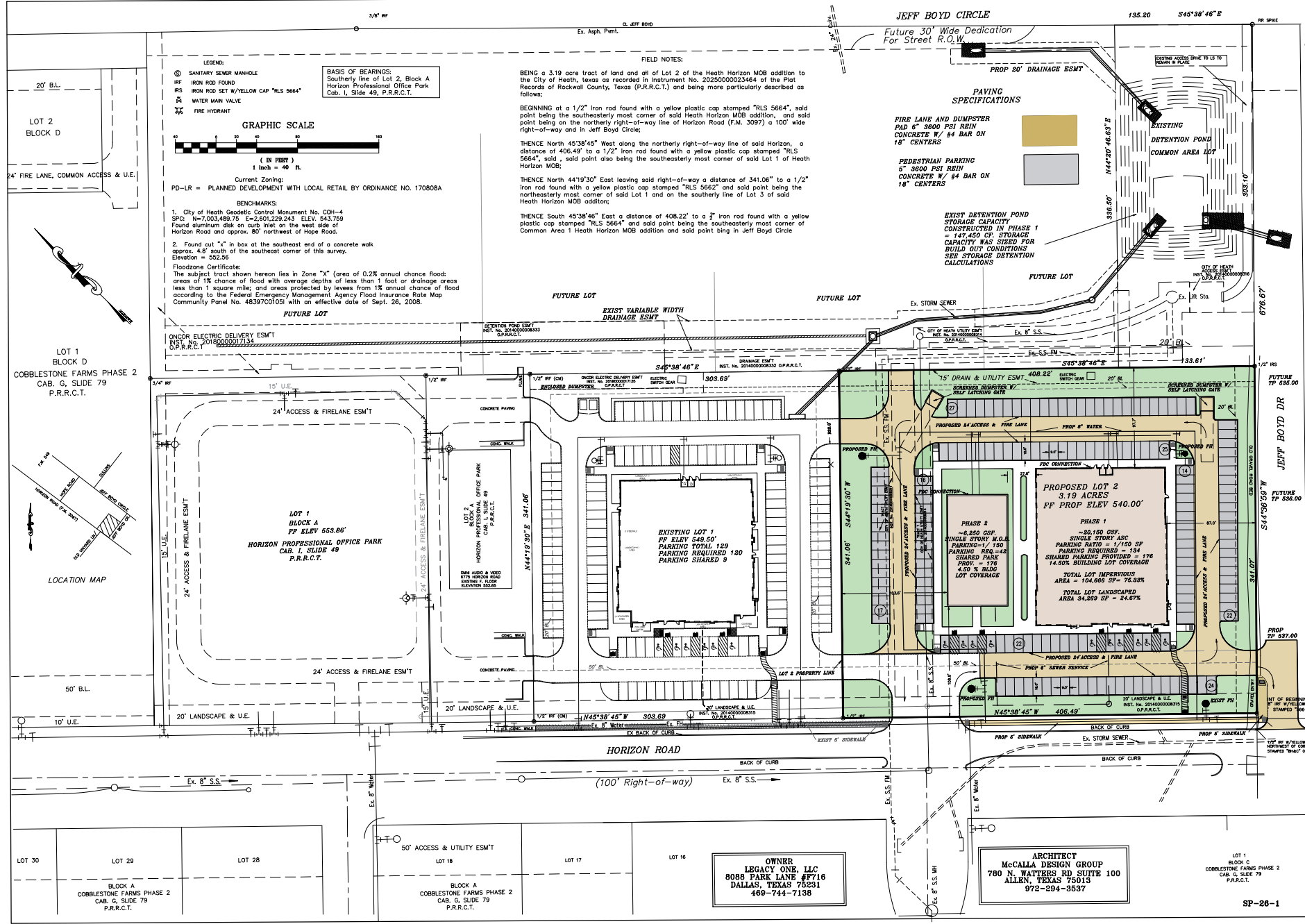
EXHIBIT "B"

HORIZON OFFICE PARK

ZONING REQUEST - PLANNED DEVELOPMENT
 LIST AS REQUIRED BY COMPREHENSIVE ZONING ORDINANCE XX-XX-XX (D)
 JUNE 20171
 Ordinance 170808A

(All requirements of Section 159.27 shall apply with the following exceptions)

ORDINANCE	LR Local Retail	PROPOSED PD
1. MIN SITE SIZE	1 acre	1 acre
2. MIN SITE FRONTAGE	100 feet	100 feet
3. MIN SITE DEPTH	200 feet	200 feet
4. MIN DEPTH OF FRONT SETBACK	50 feet w/out parking, first 20 ft landscape buffer w/ 2.5 earthen berm	50 foot w/out parking, last 20 ft landscape buffer along FM 549. 25 feet along Horizon Road. 10 ft. along Jeff Boyd Rd.
5. MIN WIDTH SIDE SETBACK	20 feet	20 feet
6. MIN DEPTH REAR SETBACK	20 feet	10 feet
7. MIN DISTANCE BETWEEN DETACHED BLDGS	20 feet	20feet
8. MIN REQUIREMENT FOR CONSTRUCTION A. STRUCTURE B. ROOFING C. EXTERIOR BUILDING FACING D. SEWER	A. Concrete foundation and floor. Weight bearing walls shall be of masonry material. Non-weight bearing walls shall be constructed using metal studs. B. 100% non-combustible C. 80% masonry D. Sewer	A. Concrete foundation and floor. Weight bearing walls shall be of masonry material. Non-weight bearing walls shall be constructed using metal studs or wood studs. B. Non-combustible material. C. 80% masonry D. Sewer
9. MIN SQUARE FOOTAGE OF BUILDING	1200 square foot	1,200 square feet minimum
10. MAX BUILDING COVERAGE	40% of lot area	40% of lot area
11. MAX AMOUNT IMPERVIOUS COVERAGE	90% of lot area	90% of lot area
12. MIN AMOUNT LANDSCAPED AREAS	10% with 20% in the front yard	10% with 10% in the front yard
13. MIN DISTANCE BETWEEN LANDSCAPED BERMS AND ENTRANCE	10 feet	10 feet
14. MAX HEIGHT OF STRUCTURES	25 feet	40 feet
15. MIN # PAVED OFF STREET PARKING SPACES	See Off-Street Parking, Article 12-	See Off-Street Parking Sect. 159.64
16. ENTRANCE/EXIT REQUIREMENTS	Minimum of two (2)	Minimum of one (1) 24 foot driveway.
17. BUFFER WI RESIDENTIAL DISTRICT	Masonry wall with minimum height of 6 feet	Combination of masonry columns, wrought iron fencing and live screen and earthen berms
18. SIDEWALKS	Required along street, 4' feet	Five feet wide, three ft from curb
19: Building Elevations		Require City of Heath Approval



LEGEND:
 SM SANITARY SEWER MANHOLE
 IR IRON ROD FOUND
 RS IRON ROD SET W/YELLOW CAP "RLS 5664"
 W WATER MAIN VALVE
 FH FIRE HYDRANT

BASIS OF BEARINGS:
 Southerly line of Lot 2, Block A
 Horizon Professional Office Park
 Cab. 1, Slide 49, P.R.R.C.T.

GRAPHIC SCALE
 (IN FEET)
 1 inch = 40 ft.

Current Zoning:
 PD-LR = PLANNED DEVELOPMENT WITH LOCAL RETAIL BY ORDINANCE NO. 170808A

BENCHMARKS:
 1. City of Heath Geodetic Control Monument No. COH-4
 SPC: N=7,003,489.75 E=2,601,229.243 ELEV. 543.759
 Found aluminum disk on curb inlet on the west side of
 Horizon Road and approx. 80' northwest of Hope Road.
 2. Found out "x" in box at the southeast end of a concrete walk
 approx. 4.8' south of the southeast corner of this survey.
 Elevation = 532.56

Floodzone Certificate:
 The subject tract shown hereon lies in Zone "X" (area of 0.2% annual chance flood:
 areas of 1% chance of flood with average depths of less than 1 foot or drainage areas
 less than 1 square mile; and areas protected by levees from 1% annual chance of flood
 according to the Federal Emergency Management Agency Flood Insurance Rate Map
 Community Panel No. 483970010G) with an effective date of Sept. 28, 2008.

FIELD NOTES:
 BEING a 3.19 acre tract of land and all of Lot 2 of the Heath Horizon MOB addition to the City of Heath, Texas as recorded in Instrument No. 2025000023464 of the Plat Records of Rockwall County, Texas (P.R.R.C.T.) and being more particularly described as follows:
 BEGINNING at a 1/2" Iron rod found with a yellow plastic cap stamped "RLS 5664", said point being the southeasterly most corner of said Heath Horizon MOB addition, and said point being on the northerly right-of-way line of Horizon Road (F.M. 3097) a 100' wide right-of-way and in Jeff Boyd Circle;
 THENCE North 45°38'45" East leaving said right-of-way a distance of 341.06' to a 1/2" Iron rod found with a yellow plastic cap stamped "RLS 5662" and said point being the northeasterly most corner of said Lot 1 and on the southerly line of Lot 3 of said Heath Horizon MOB addition;
 THENCE South 45°38'45" East a distance of 406.22' to a 1/2" Iron rod found with a yellow plastic cap stamped "RLS 5664" and said point being the southeasterly most corner of Common Area 1 Heath Horizon MOB addition and said point being in Jeff Boyd Circle

JEFF BOYD CIRCLE
 Future 30' Wide Dedication
 For Street R.O.W.

PAVING SPECIFICATIONS
 FIRE LANE AND DUMPSTER PAD 6" 3600 PSI REIN CONCRETE W/ #4 BAR ON 18" CENTERS
 PEDESTRIAN PARKING 5" 8000 PSI RBN CONCRETE W/ #4 BAR ON 18" CENTERS

EXIST DETENTION POND STORAGE CAPACITY CONSTRUCTED IN PHASE 1 = 147,450 CF. STORAGE CAPACITY WAS SIZED FOR BUILD OUT CONDITIONS. SEE STORAGE DETENTION CALCULATIONS

ONCOR ELECTRIC DELIVERY ESMT
 INST. No. 20160000017134
 O.P.R.R.C.T.

ONCOR ELECTRIC DELIVERY ESMT
 INST. No. 20160000008333
 O.P.R.R.C.T.

CITY OF HEATH UTILITY ESMT
 INST. No. 20160000008333
 O.P.R.R.C.T.

**LOT 1 BLOCK A
 FF ELEV 553.86'
 HORIZON PROFESSIONAL OFFICE PARK
 CAB. 1, SLIDE 49
 P.R.R.C.T.**

**EXISTING LOT 1
 FF ELEV 549.60'
 PARKING TOTAL 129
 PARKING SHARED 9**

**PROPOSED LOT 2
 3.19 ACRES
 FF PROP ELEV 540.00'**

**PHASE 1
 - 20,150 CSF
 SINGLE STORY BLDG
 PARKING RATIO = 1/150 SF
 PARKING REQUIRED = 134
 SHARED PARKING PROVIDED = 176
 14.60% BUILDING LOT COVERAGE
 TOTAL LOT IMPERVIOUS AREA = 104,668 SF = 75.82%
 TOTAL LOT LANDSCAPED AREA 34,289 SF = 24.67%**

**OWNER:
 LEGACY ONE, LLC
 8088 PARK LANE #F716
 DALLAS, TEXAS 75231
 469-744-7136**

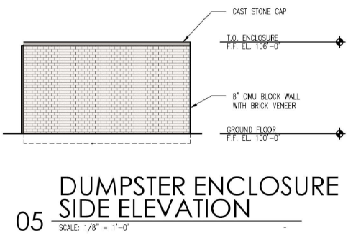
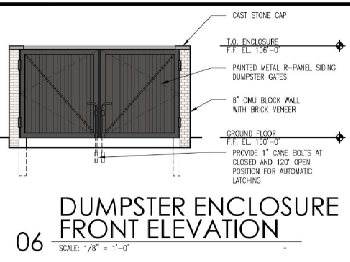
**ARCHITECT:
 McCalla Design Group
 780 N. WATTERS RD SUITE 100
 ALLEN, TEXAS 75013
 972-294-3537**



DOUPPRATE & ASSOCIATES, INC.
 ENGINEERING PROJECT MANAGEMENT SURVEYING
 2235 RIDGE RD., # 500 ROCKWALL, TEXAS 75087
 PHONE: (972)771-0004 FAX: (972)771-9005

**SITE PLAN LOT 2
 HEATH HORIZON MOB
 CITY OF HEATH
 ROCKWALL COUNTY, TEXAS**

REVISION:
 W.L.D.
 CHECKED:
 G.C.W.
 DRAWN:
 SCALE:
 1" = 40' @ 11"
 DATE:
 JAN 2009
 2009 SP
 PROJECT:
 20



FINISH KEY

MASONRY

- ST-01 - NATURAL STONE VENEER
EXTERIOR/WHITE URBANITE VELOORS
- BR-01 - BRICK VENEER
EMMETT BRICK - ALABAMA
- ST-02 - NECHITRURAL STONE VENEER
READING ROCK - BUFFSTONE
- ST-03 - 3-STEP STUCCO VENEER
SHERWIN WILLIAMS - DRIFT OF MIST
- CS-01 - ARCHITECTURAL CAST STONE
READING ROCK - CHARLOTTE PINK
- FS-01 - FIBER CEMENT WOOD PLANK
NORXIA - VINTAGEWOOD SPRUCE

PAINT: TBK & EXPOSED STEEL
FF-01 - SHERWIN WILLIAMS - IRON ORE

ALUMINUM STOREFRONT SYSTEM
INF-01 - CLEAR ANODIZED ALUMINUM

INSULATED GLAZING SYSTEM
GL-01 - 1" SYSTEM - TPC SOLARSHY SURFLOAN

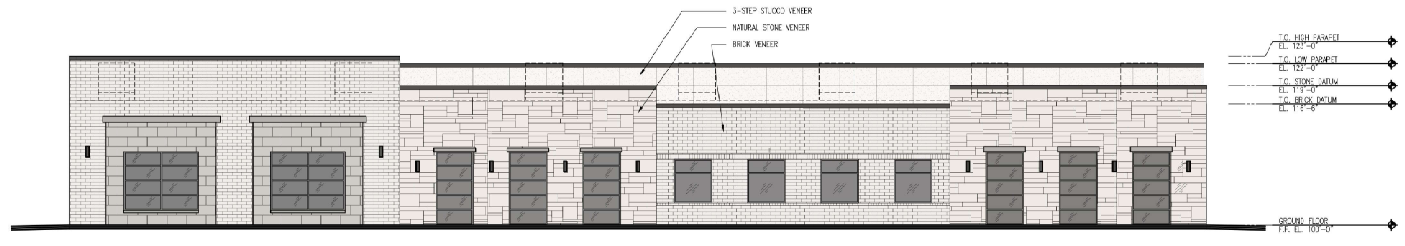
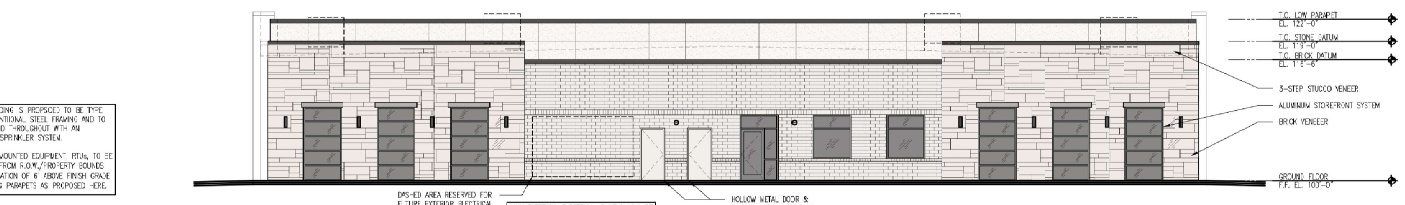
SHALL BUILDING BE PROPOSED TO BE TYPE-B-3 CONVENTIONAL STEEL FRAMING AND TO BE EQUIPPED WITH SMOKE AND ALARM, SPRINKLER SYSTEM.

ROOF TOP MOUNTED EQUIPMENT SHALL TO BE SCHEDULED FROM 10:00 AM - 10:00 PM SUNDAY AT AN ELEVATION OF 6' ABOVE FINISH GRADE BY BUILDING OWNER'S AS PROPOSED HERE.

DRY-ED AREA RESERVED FOR FUTURE EXTERIOR ELECTRICAL SERVICE ENTRANCE & GUTTER.

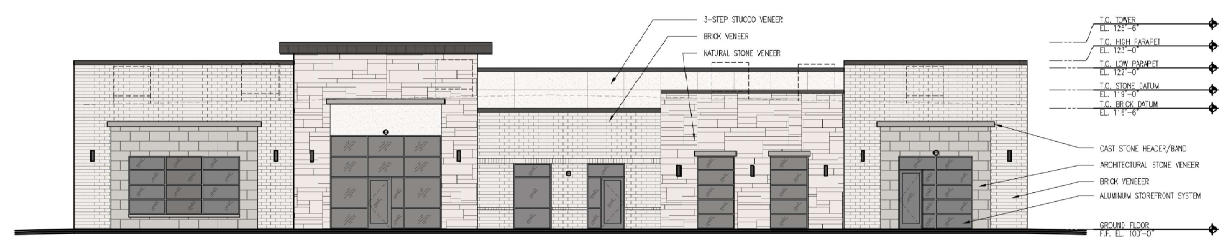
MANY EXTERNAL ELECTRICAL PANELS WILL BE FINISHED/VEHICLED TO MATCH THE MATERIAL AND COLOR OF THE BUILDING.

HOLLOW METAL DOOR & FRAME TO BE PAINTED TO MATCH BRICK VENEER TYPE.



FACADE MATERIAL CALCULATIONS

	SOUTH	EAST	NORTH	WEST
TOTAL FACADE S.F.:	3,208 S.F.	2,482 S.F.	2,780 S.F.	3,412 S.F.
DOORS & WINDOWS S.F.	812 S.F. = 25%	594 S.F. = 24%	482 S.F. = 17%	543 S.F. = 16%
FACADE S.F. EXCLUDING DOORS & WINDOWS	2,396 S.F.	1,888 S.F.	2,328 S.F.	2,869 S.F.
STUCCO AREA:	282 S.F. = 11%	374 S.F. = 19%	488 S.F. = 21%	438 S.F. = 15%
PRIMARY MASONRY TOTALS:	BRICK S.F. 1,002 S.F. @ 43%	1,069 S.F. @ 57%	1,85 S.F. @ 32%	1,102 S.F. @ 44%
	STONE S.F. 1,194 S.F. @ 49%	1,425 S.F. @ 49%	1,116 S.F. @ 45%	971 S.F. @ 37%



**HORIZON OFFICE PARK
 PHASE II M.O.B.
 HORIZON ROAD & JEFF BOYD DRIVE
 LOT 2 BLOCK A HEATH, TEXAS**



CMP-01 – COMPOSITE METAL PANEL VENEER
 ALUCOBOND – ALUMINUM



PAINT- AWNINGS & EXPOSED STEEL
 PT-01 – SHERWIN WILLIAMS – IRON ORE



ALUMINUM STOREFRONT SYSTEM-
 AMF-01 – CLEAR ANODIZED ALUMINUM



INSULATED GLAZING SYSTEM-
 GL-01- 1" SYSTEM – PPG SOLARGRAY SOLARBAN
 GL-02- 1" SYSTEM – PPG SOLARGRAY SOLARBAN SPANDREL



ST-01 – NATURAL STONE VENEER
 STONEBROOK WHITE LIMESTONE LEUDERS



BR-01 – BRICK VENEER
 SUMMIT BRICK – ALASKAN



ST-02 – ARCHITECTURAL STONE VENEER
 READING ROCK – BUFFSTONE



PCP-01 – 3 STEP STUCCO VENEER
 SHERWIN WILLIAMS – DRIFT OF MIST



CS-01 – ARCHITECTURAL CAST STONE
 READING ROCK – CHARLOTTE TAN



FCP-01 – FIBER CEMENT WOOD PLANK
 NICHIHA – VINTAGEWOOD SPRUCE

CLIENT
 SANYI, LLC.
 1025 W. Regatta Hill Pkwy., Suite 221
 Rockwall, Texas 75087
 P: (972) 771-9000

CIVIL ENGINEER
 COOPERATE & ASSOCIATES, INC.
 5235 Ripper Road
 Rockwall, Texas 75087
 P: (972) 771-9004
 F: (972) 771-9005

STRUCTURAL ENGINEER
 URBAN'S ROCK, LLC
 5140 North Hill Ln., Suite 305
 Dallas, Texas 75231
 P: (214) 255-9775

MEP ENGINEER
 ROCKVA ENGINEERING
 4819 Steple Hwy 121, Suite 12
 The Colony, Texas 75056
 P: (972) 325-7300
 F: (972) 325-7811

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INTERIM REVIEW DOCUMENTS
 This document is preliminary and is intended for
 discussion purposes only. It is not to be used for
 construction without the approval of the
 architect. © 2024 MCGROUP

REVISIONS:

ISSUE DATE:
 18 FEBRUARY 2026
 PROJECT NO.:
 26C12A
 SHEET TITLE:
 COLORED
 MATERIAL
 BOARD
 SHEET NO.:
A4.02

CITY OF HEATH LANDSCAPE REQUIREMENTS

Zoning: PD-LR
 Site: 138,845 s.f. or 3.2 ac.
 MINIMUM LANDSCAPE REQUIREMENTS:
 Minimum landscaped area - 10%
 Required 13,885 s.f. Provided 34,240 or 25%
 10% of required landscape in front yard Provided
 Required 1,389 s.f. 11,170 or 80%
 WATERING METHOD:
 Underground sprinkler system with an automated timer and rain/tree sensor
 GRASS:
 Grass to be solid sod Bermuda

NOTES:

All plant materials are to be identified on the TxSmartscape.com and meet the requirements of Ordinance No. 240312A.

PLANT MATERIAL LIST

KEY	QUANTITY	TREES DESCRIPTION	SIZE
CE	2	ULMUS CRASSIFOLIA CEDAR ELM	3" CAL., MIN. 4' SPREAD, MIN. 10 FT. HT.
CO	2	QUERCUS MUELENBURGHII CHINKAPIN OAK	3" CAL., MIN. 4' SPREAD, MIN. 10 FT. HT.
RO	3	QUERCUS SHUMARDII RED OAK	3" CAL., MIN. 4' SPREAD, MIN. 10 FT. HT.
KEY	QUANTITY	ORNAMENTAL TREES DESCRIPTION	SIZE
JBP	3	PINUS THUNBERGII THUNDERHEAD JAPANESE BLACK PINE	30 GAL., 8" HT., 3" SPREAD
RB	2	CERCIS CANADENSIS OKLAHOMA REDBUD 'OKLAHOMA'	20 GAL., 8" HT., 3" SPREAD
KEY	QUANTITY	SHRUBS DESCRIPTION	SIZE
CH	4	ILEX BURFORDII 'CARISSA' CARISSA HOLLY	5 GAL., MIN. 15" HT., 24" O.C.
DR	59	ROSA X 'NOVAROSP' POPCORN DRIFT ROSE	5 GAL., MIN. 20" HT., 24" O.C.
AB	33	ABELIA X GRANDIFLORA 'KALEIDOSCOPE' KALEIDOSCOPE ABELIA	5 GAL., MIN. 15" HT., 30" O.C.
DYH	74	ILEX VOMITORIA 'NANA' DE YALPON HOLLY	5 GAL., MIN. 15" HT.
AN	15	YUCCA FILAMENTOSA 'COLOR GUARD' ADAM'S NEEDLE	3 GAL., MIN. 15" HT., A.S.
NRS	22	ILEX X 'NELLE R. STEVENS' NELLE R. STEVENS HOLLY	30 GAL., 6" HT., 3" SPREAD
RY	1	HESPERALOE PARVIFOLIA RED YUCCA	3 GAL., MIN. 12" HT.
DS	1	SAOUBURION TEXANUM GREEN DESERT SPOON	10 GAL., MIN. 24" HT.
DBC	36	DISTYLIUM 'BLUE CASCADE' BLUE CASCADE DISTYLIUM	3 GAL., MIN. 15" HT.
KEY	QUANTITY	GROUND COVER DESCRIPTION	SIZE
EC	270	EUKONYIA FORTUNE 'COLORATUS' PURPLE WINTERKLEPPER	4" POT, FULL PLANT 10" O.C.
KEY	QUANTITY	ORNAMENTAL GRASSES DESCRIPTION	SIZE
ABM	39	MUHLENBERGIA CAPILLARIS 'REGAL MIST' MUHLY GULF GRASS	1 GAL., FULL PLANT 30" O.C.

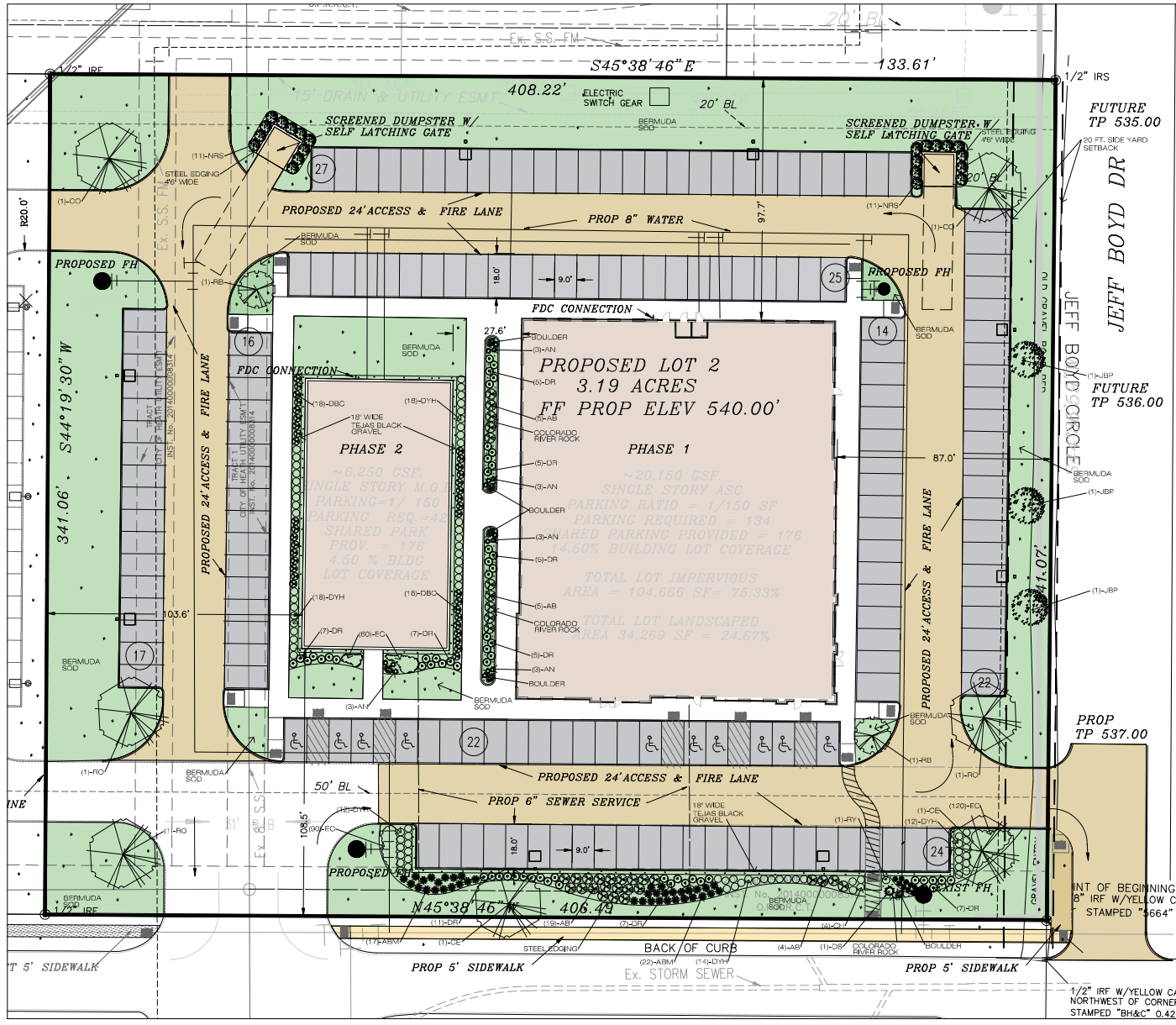


JCL
 J. CAMILLE LAFOY
 LANDSCAPE ARCHITECTURE CONSULTING
 110 WINTERFIELD SQUARE, SUITE 400
 HEATH, TEXAS 75846

DOUPHRAITE & ASSOCIATES, INC.
 LANDSCAPE ARCHITECTURE CONSULTING
 2235 RIDGE RD., # 200 ROCKWALL, TEXAS 75087
 PHONE: (972)771-9004 FAX: (972)771-9005

LANDSCAPE PLAN
 HEATH HORIZON MOB 2
 CITY OF HEATH
 ROCKWALL COUNTY, TEXAS

DESIGNER: JCL
 CHECKED: JCL
 DATE: APR 15, 2020
 PROJECT: L101



01 LANDSCAPE PLAN
 SCALE: 1" = 20'-0"





1400 WEST 10TH STREET, SUITE 200, ROCKWALL, TEXAS 75087
 PHONE: 972.967.8888 FAX: 972.967.8889
 WWW.CHoiceENGINEERING.COM

SITE PLAN LOT 2
 HEATH HORIZON MOB
 CITY OF HEATH
 ROCKWALL COUNTY, TEXAS

REV	DESCRIPTION	DATE
1	CITY COMMENTS	03.10.26



ISSUE/ORIGINAL COPYRIGHT DATE: 02.17.2026
 PROJECT #: 26007-06-328
 DRAWN BY: RG
 CHECKED BY: JR

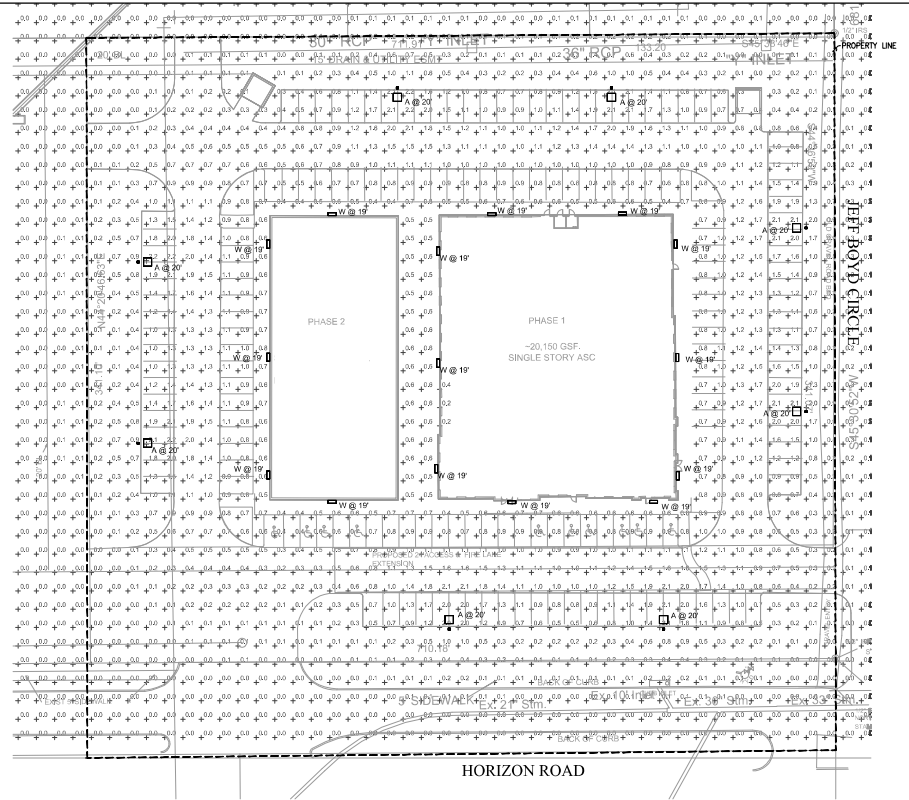
SHEET NAME:
PHOTOMETRIC PLAN

SHEET NUMBER:
E1

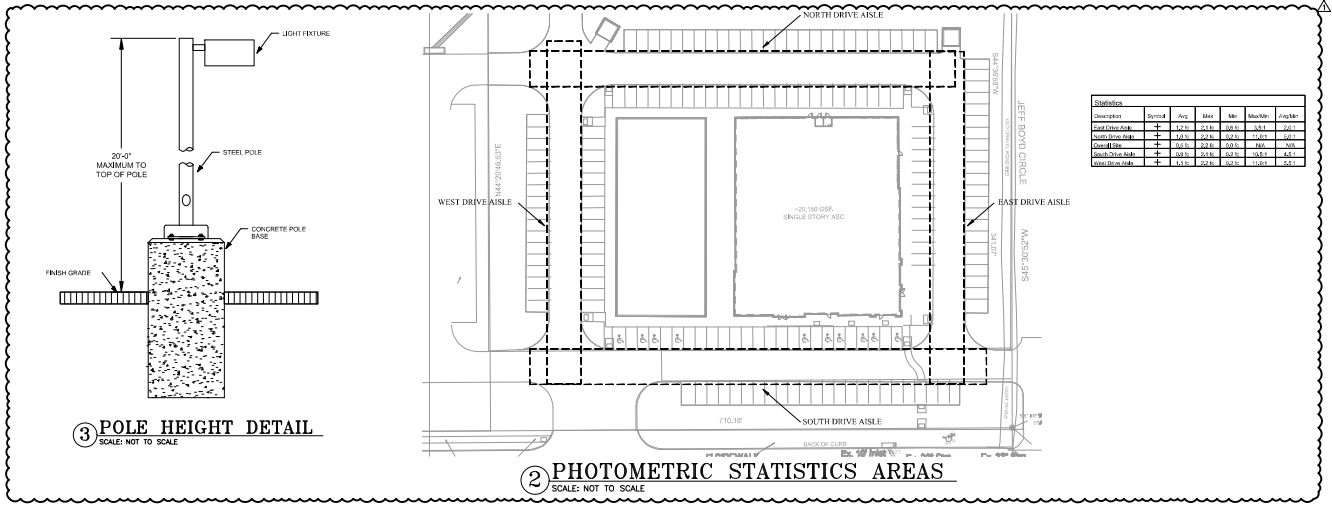
GENERAL NOTES:

- A. ALL LIGHT FIXTURES ARE FULLY SHIELDED AND 3000K COLOR TEMPERATURE PER CITY OF HEATH OUTDOOR LIGHTING DARK SKY ORDINANCE SECTION 96.05(1)
- B. CITY OF HEATH OUTDOOR LIGHTING DARK SKY ORDINANCE SECTION 96.05(F) ALLOWS A TOTAL OUTDOOR LIGHTING OUTPUT OF 45,000 LUMENS PER NET ACRE OR PARKING, PEDESTRIAN WAYS AND FIRE LANES. APPROXIMATE MAXIMUM ALLOWED OUTPUT FOR THIS SITE IS 186,324 LUMENS. AS DESIGNED, TOTAL LUMEN OUTPUT IS 93,562 (COMPLIES WITH 96.05(F)).
- C. ELECTRICAL CONTRACTOR SHALL FURNISH AND INST ALL UNDERGROUND CONDUITS, LABELED WITH PULL STRINGS, AS INDICATED. ALL CONDUITS FOR SITE WORK SHALL BE MINIMUM 4" DIAMETER UNLESS NOTED OTHERWISE.
- D. REFER TO SHEET E2 FOR LIGHT FIXTURE SPECIFICATION DOCUMENTS. PER CITY REQUIREMENTS, AVERAGE BEAMING OFF LIGHT LEVELS SHALL NOT BE IN EXCESS OF 1.5 FC FOR THE PARKING AREA, PEDESTRIAN WAYS, AND FIRE LANES.

Symbol	Label	QTY	Catalog Number	Description	Fixture Size	Area Lumens/Ft Performance Package	Beam Spread	Beam Type	Mount	Lumens	Footage
☐	A	8	08A1 LED P2 0XK 800R10M	08A1 LED P2 0XK 800R10M	8" x 8"	45,000	120°	Recessed	Flush	3600	97.29
☐	W	18	08A1W P1 0XK 800R10M	08A1W P1 0XK 800R10M	8" x 16"	200,000	120°	Recessed	Flush	14400	12.27



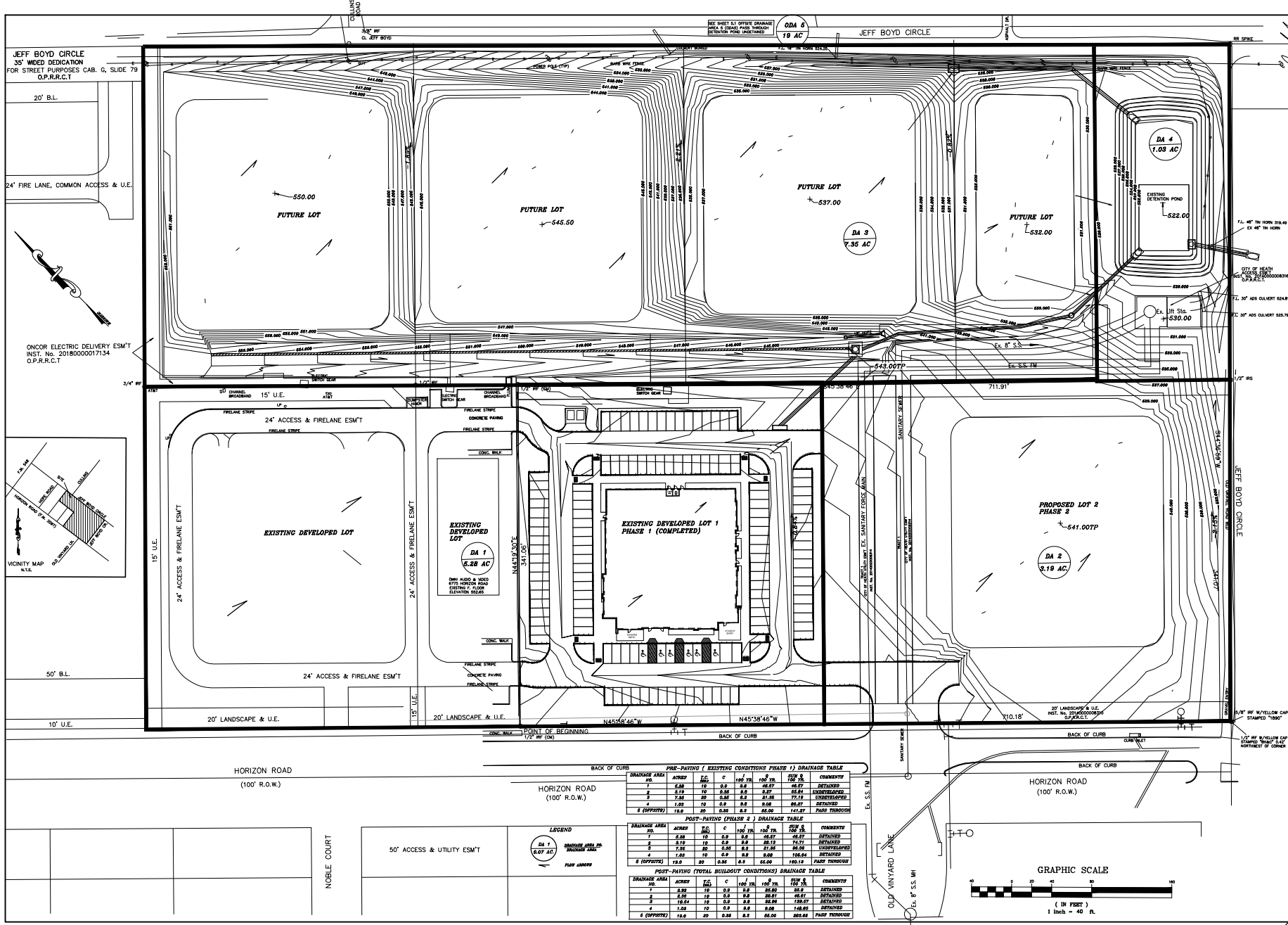
1 SITE PLAN - PHOTOMETRICS
 SCALE: 1/32" = 1' - 0"



3 POLE HEIGHT DETAIL
 SCALE: NOT TO SCALE

2 PHOTOMETRIC STATISTICS AREAS
 SCALE: NOT TO SCALE

Statistics	Symbol	Avg	Max	Min	Number	Length
Average Footcandle	+	0.75	2.00	0.25	100	100'
Maximum Footcandle	+	2.00	2.00	0.25	100	100'
Minimum Footcandle	+	0.25	2.00	0.25	100	100'
Area Footcandle	+	0.75	2.00	0.25	100	100'

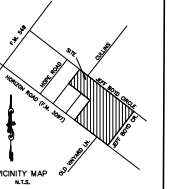


JEFF BOYD CIRCLE
35' WIDED DEDICATION
FOR STREET PURPOSES CAB. G. SLIDE 79
O.P.R.R.C.T

20' B.L.

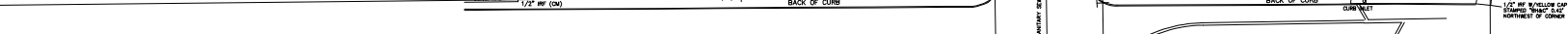
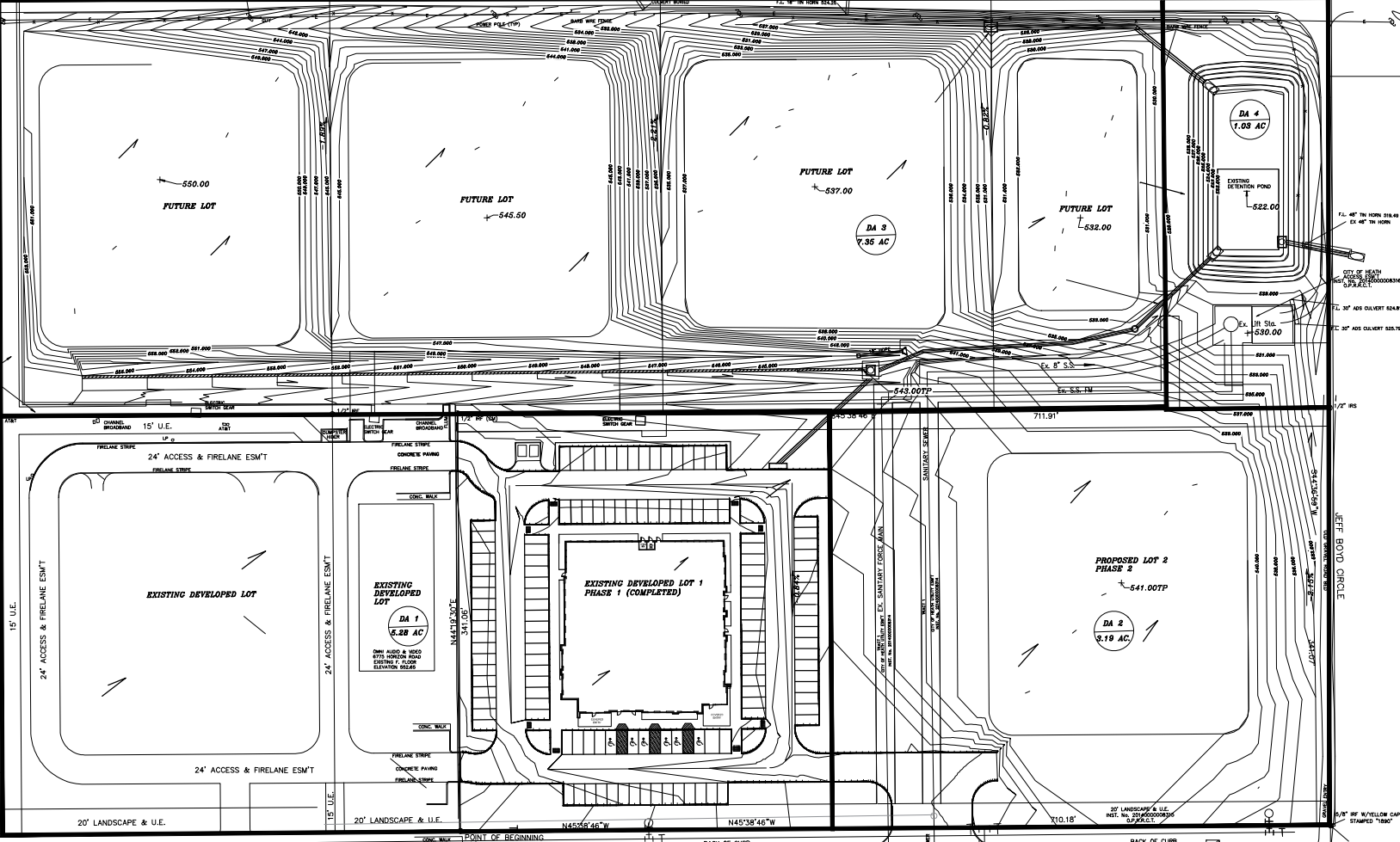
24' FIRE LANE, COMMON ACCESS & U.E.

ONCOR ELECTRIC DELIVERY ESM/T
INST. No. 2018000017134
O.P.R.R.C.T



50' B.L.

10' U.E.



HORIZON ROAD
(100' R.O.W.)

HORIZON ROAD
(100' R.O.W.)

HORIZON ROAD
(100' R.O.W.)

NOBLE COURT

50' ACCESS & UTILITY ESM/T



PRE-PAVING (EXISTING CONDITIONS PHASE 1) DRAINAGE TABLE

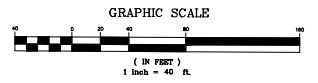
DRAINAGE AREA NO.	AREA	IC	C	100 YR	100 YR	50 YR	50 YR	COMMENTS
1	0.58	10	0.8	0.8	0.87	0.87	0.87	DEFINISHED
2	2.50	20	0.80	0.8	0.81	0.81	0.81	COURTSPAVED
3	1.00	10	0.8	0.8	0.87	0.87	0.87	DEFINISHED
4	0.00	20	0.8	0.8	0.80	0.80	0.80	PAVED THROUGH

POST-PAVING (PHASE 2) DRAINAGE TABLE

DRAINAGE AREA NO.	AREA	IC	C	100 YR	100 YR	50 YR	50 YR	COMMENTS
1	0.58	10	0.8	0.8	0.87	0.87	0.87	DEFINISHED
2	0.19	10	0.8	0.8	0.81	0.81	0.81	DEFINISHED
3	2.50	20	0.80	0.8	0.81	0.81	0.81	COURTSPAVED
4	1.00	10	0.8	0.8	0.87	0.87	0.87	DEFINISHED
5	0.00	20	0.8	0.8	0.80	0.80	0.80	PAVED THROUGH

POST-PAVING TOTAL WETWEATHER CONDITIONS DRAINAGE TABLE

DRAINAGE AREA NO.	AREA	IC	C	100 YR	100 YR	50 YR	50 YR	COMMENTS
1	0.58	10	0.8	0.8	0.87	0.87	0.87	DEFINISHED
2	0.19	10	0.8	0.8	0.81	0.81	0.81	DEFINISHED
3	2.50	20	0.80	0.8	0.81	0.81	0.81	COURTSPAVED
4	1.00	10	0.8	0.8	0.87	0.87	0.87	DEFINISHED
5	0.00	20	0.8	0.8	0.80	0.80	0.80	PAVED THROUGH



DOUGLAS M. WILLIAMS, P.E.
REGISTERED PROFESSIONAL ENGINEER
STATE OF TEXAS
LICENSE NO. 26599
DATE: FEB 17, 2028

DOUPHRADE & ASSOCIATES, INC.
1200 W. WYATT DRIVE
SUITE 100
ROCKWALL, TEXAS 75087
PHONE: (972)771-8004 FAX: (972)771-9005

HEATH HORIZON MOB
SKWR, LLC
CITY OF HEATH
ROCKWALL COUNTY, TEXAS

REVISION
W.L.D.
CHECKED
Q.C.W.
DRAWN
SCALE
1" = 40' ±
DATE
FEB 2028
PROJECT
220N DAM
50

