



PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # M152021-017 P&Z DATE 12/28/21 CC DATE _____ APPROVED/DENIED _____
ARCHITECTURAL REVIEW BOARD DATE _____ HPAB DATE _____ PARK BOARD DATE _____

ZONING APPLICATION
<input type="checkbox"/> SPECIFIC USE PERMIT
<input type="checkbox"/> ZONING CHANGE
<input type="checkbox"/> PD CONCEPT PLAN
<input type="checkbox"/> PD DEVELOPMENT PLAN

SITE PLAN APPLICATION
<input type="checkbox"/> SITE PLAN
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN
<input type="checkbox"/> PHOTOMETRIC PLAN
<input type="checkbox"/> BUILDING ELEVATIONS
<input type="checkbox"/> MATERIAL SAMPLES
<input type="checkbox"/> COLOR RENDERING

PLATTING APPLICATION
<input type="checkbox"/> MASTER PLAT
<input type="checkbox"/> PRELIMINARY PLAT
<input type="checkbox"/> FINAL PLAT
<input type="checkbox"/> REPLAT
<input type="checkbox"/> ADMINISTRATIVE/MINOR PLAT
<input type="checkbox"/> VACATION PLAT
<input type="checkbox"/> LANDSCAPE PLAN
<input type="checkbox"/> TREESCAPE PLAN

<input type="checkbox"/> COPY OF ORDINANCE (ORD.# _____)
<input checked="" type="checkbox"/> APPLICATIONS
<input checked="" type="checkbox"/> RECEIPT
<input checked="" type="checkbox"/> LOCATION MAP
<input type="checkbox"/> HOA MAP
<input type="checkbox"/> PON MAP
<input type="checkbox"/> FLU MAP
<input type="checkbox"/> NEWSPAPER PUBLIC NOTICE
<input type="checkbox"/> 500-FT. BUFFER PUBLIC NOTICE
<input type="checkbox"/> PROJECT REVIEW
<input type="checkbox"/> STAFF REPORT
<input type="checkbox"/> CORRESPONDENCE
<input type="checkbox"/> COPY-ALL PLANS REQUIRED
<input type="checkbox"/> COPY-MARK-UPS
<input type="checkbox"/> CITY COUNCIL MINUTES-LASERFICHE
<input type="checkbox"/> MINUTES-LASERFICHE
<input type="checkbox"/> PLAT FILED DATE _____
<input type="checkbox"/> CABINET # _____
<input type="checkbox"/> SLIDE # _____
NOTES: _____

ZONING MAP UPDATED _____



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. MIS-2021-017

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

DIRECTOR OF PLANNING:

CITY ENGINEER:

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

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- MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
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OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
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PROPERTY INFORMATION (PLEASE PRINT)

ADDRESS 309 Star St.

SUBDIVISION Eppstein Addition

GENERAL LOCATION Corner of Star St. & Munson St., Rockwall

LOT All of lots 12, 13, 14, 15, 16; parts of lots 3, 4, 5, 6, 11 BLOCK B

ZONING, SITE PLAN AND PLATTING INFORMATION (PLEASE PRINT)

CURRENT ZONING

CURRENT USE

PROPOSED ZONING

PROPOSED USE

ACREAGE

LOTS (CURRENT)

LOTS (PROPOSED)

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3187 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

OWNER/APPLICANT/AGENT INFORMATION (PLEASE PRINT/CHECK THE PRIMARY CONTACT/ ORIGINAL SIGNATURES ARE REQUIRED)

OWNER Karen Roggenkamp

APPLICANT Karen Roggenkamp

CONTACT PERSON

CONTACT PERSON

ADDRESS 309 Star St.

ADDRESS 309 Star St.

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Rockwall, TX 75087

PHONE 612-501-6532

PHONE 612-501-6532

E-MAIL Karenroggenkamp@hotmail.com

E-MAIL Karenroggenkamp@hotmail.com

NOTARY VERIFICATION (REQUIRED)

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

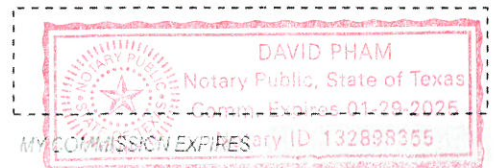
I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION. ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT AND THE APPLICATION FEE OF \$ December 21 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 17 DAY OF December 2021. BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (THE "CITY") IS AUTHORIZED AND PERMITTED TO PROVIDE INFORMATION CONTAINED WITHIN THIS APPLICATION TO THE PUBLIC. THE CITY IS ALSO AUTHORIZED AND PERMITTED TO REPRODUCE ANY COPYRIGHTED INFORMATION SUBMITTED IN CONJUNCTION WITH THIS APPLICATION IF SUCH REPRODUCTION IS ASSOCIATED OR IN RESPONSE TO A REQUEST FOR PUBLIC INFORMATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17 DAY OF December 2021

OWNER'S SIGNATURE [Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

[Signature]



**Petition for Fence Code Variance
309 Star St.
Rockwall, TX 75087
Karen Roggenkamp, Owner
16 December 2021**

Overview

309 Star St. is a 3800+ square foot midcentury modern house listed as a Medium Contributing property in the Old Town Rockwall district which sits on 1.18 acres of land, legally described portions of Lots 3, 4, 5, 6, and 11 and all of lots 12, 13, 14, 15, and 16 in Block B of Eppstein Addition. The house was built by then-Judge Ralph Hall in 1955, and the family lived there for twenty years (see Figure 1).



Figure 1. 309 Star St.

This petition requests an exception to city code for fence placement. The proposed building project will replace a failing stockade fence located on the northwest side of the property with a more period-appropriate horizontal board privacy fence, along with a gate that will open onto the driveway/garage/parking area. The new fence will replicate midcentury modern fencing types, extend the architectural lines of this historic property, merge an underutilized part of the property into the rest of the back yard, provide increased security to the garage and back yard, and screen an unattractive parking area from street view. As detailed below, due to the unique qualities of the property—including the angled orientation of the house on a large lot and the slope of the ground in the fence area—this project requires a variance to the city ordinance regarding the build line and placement for fences.

Unique Property Features

309 Star St. is unusual because of the amount of land it includes for a home within city limits, but, more notably, because of its orientation. Unlike the normal placement of Rockwall houses, which are built directly facing a street, this house sits at a pronounced angle at the corner of Star and Munson streets. The garage is on the side of the house, angling toward Star St., and a sizeable outdoor parking area is adjacent to the garage. The majority of the driveway and the parking area are not visible from the front yard of the house because they are hidden behind an original curved brick wall that extends from the garage (seen at far left in Figure 1; closer views in Figures 2-4).

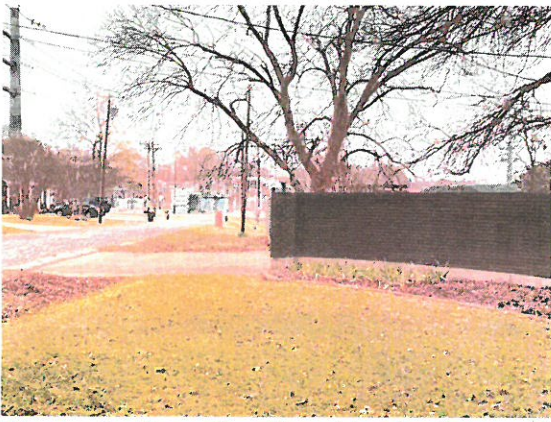


Figure 2. Curved wall and beginning portion of driveway as seen from front yard (Star St. on left). Exterior parking area and majority of driveway are blocked by wall.



Figure 3-4. Curved wall from beginning portion of driveway and from parking area.

Current Fence

The current stockade fence is neither stable nor an aesthetically sound choice for a midcentury modern property. It runs 120 feet from the northeast corner of the garage to a stopping point approximately 6 feet from the northern boundary of the property (see Figure 5). Parts of the northern side of the property slope downward, and the sharpest slope is located in the area where the current old fence stands.

On the survey below, the bold line indicates property perimeter; the red line indicates the curved wall beside driveway/parking area; and the blue line indicates the current location of the fence that needs replacing. The beginning of the brick wall stands at a point that is in line with the front build line of the house, as seen in Figure 3. The old fence is set far back from Star St., and as such it does not enclose a significant portion of what should function as part of the back yard of this angled property. Additionally, the fence's placement and configuration do not allow for larger items, such as a riding lawn mower or other sizable landscaping equipment, to pass through the narrow gate (see Figure 6).

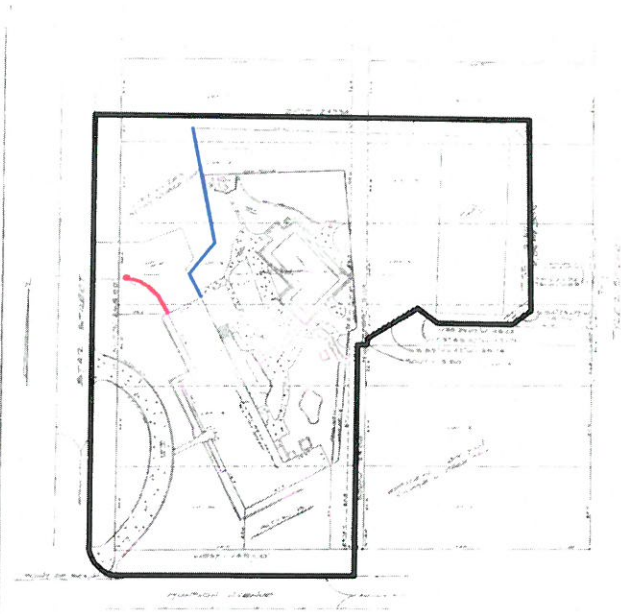


Figure 5. Survey of property. Bold line indicates property perimeter; red line indicates curved wall beside driveway/parking area; blue line indicates current stockade fence. The brick wall begins at a point that is on the same build line of the front portion of the house. Garage is recessed several feet back from main portion of the house.

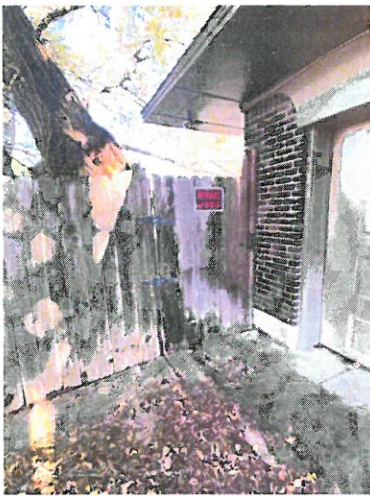
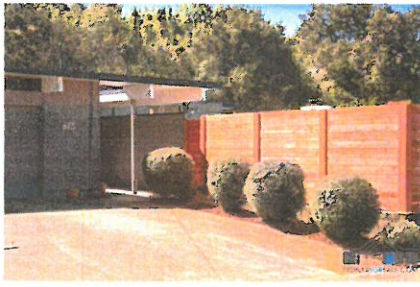


Figure 6. Current narrow gate.

Design of New Fence

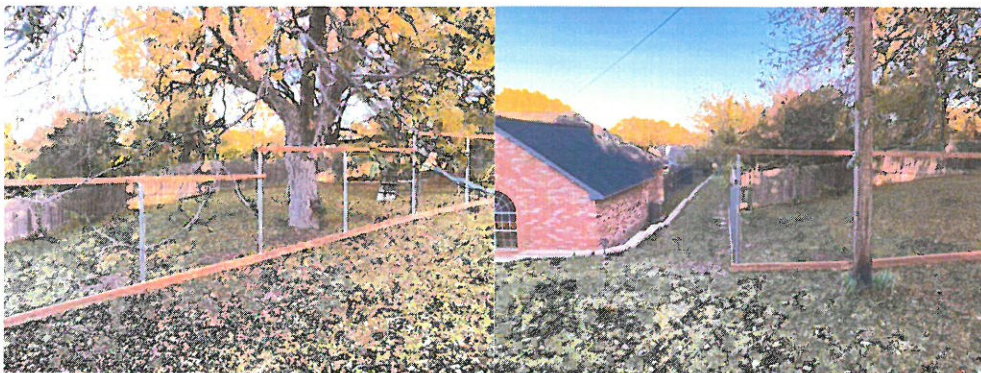
This project will replace the stockade fence with a 100'-long privacy fence made of horizontal boards and steel posts. A horizontal fence is the stylistically appropriate choice for the architectural lines and aesthetic of this type of midcentury modern house, which borrows heavily from the design of 1950s Joseph Eichler houses, as seen in the examples below (see Figures 7-11 below for examples).



Figures 7-10. Examples of horizontal board fence design for midcentury modern properties.

The new fence will include a solar-powered driveway gate, which will begin at the end of the curved brick privacy wall that runs beside the driveway. The gate will not affect the construction or integrity of the wall. It will provide additional security to the garage, parking area, and back yard of the property. It will also enable back yard access for oversized lawn equipment and assist in larger-scale landscaping projects which are not possible under the current fence/gate configuration. A contractor has already been hired to build this fence, and the company uses pre-stained wood in a medium brown color with secured metal posts, in keeping with current city code.

Note: because this project involves replacing an already-existing fence and does not require alteration to the house itself, neither I nor the fencing contractor understood that we needed to gain approval first from the historic preservation board, and then from planning and zoning before construction began. The contractor had already set the posts for the new fence when we recognized our mistake, and we immediately stopped construction pending approval (see Figures 11 and 12) The photographs below show the posts that were set for the new fence, with the old fence in the background. (The northern edge of the property is the retaining wall on the left side of Figure 12.) Please note difference in slope of ground in the area of the old fence vs. the new fence.



Figures 11 and 12. Desired placement of new fence.

Justification of Variance

In order to construct a fence that aligns with and enhances the historic nature of this property, the new fence requires a variance because it will follow a build line taken from the brick wall that extends from the garage and curves around part of the driveway, rather than a build line taken from the corner of the garage. Running the gate and fence directly from the curved wall is appropriate for a number of reasons.

- First, 309 Star St. is a unique Old Town Rockwall property sitting on an extremely atypical lot, and the skewed orientation of the house in relation to the street presents may be singular within the city. The angled alignment of the house is a notable feature of the property, but as a result, current city ordinances do not easily apply. As such, a code variance in this situation is worthy of consideration, and it should not set precedent given that other properties do not feature the same characteristics.
- Second, the garage area of the house includes an oddly-shaped parking area extending away from the garage. Provided the new fence and gate can extend from the curved wall, they will screen this visually unappealing area from the street, which currently detracts from the aesthetic of the house. The gate and fence will, instead, enhance the midcentury lines and style of this important house.
- Third, the only feasible location for the new gate and fence follows a build line defined by the brick wall, which is at the narrowest portion of the driveway. In contrast, if the build line for the fence begins at the northwest corner of the garage, it will not be possible to screen the parking area and provide additional security because a gate and fence would bisect the concrete parking area and make entrance into the garage difficult, rendering both useless (see Figure 13—the proposed new fence that follows the build line extending from the curved wall is marked in green, while the build line defined by the corner of the garage and that bisects the parking area is marked in orange).

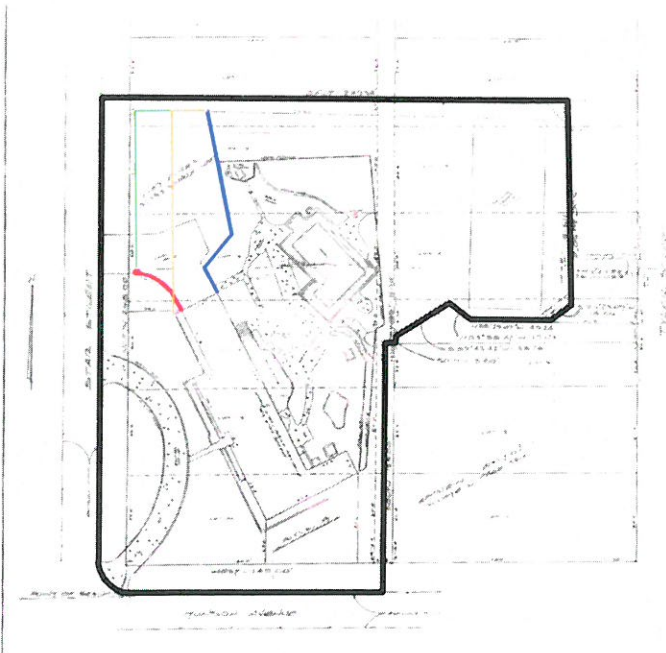


Figure 13. Proposed new fence line extending from the build line of the curved brick wall indicated by green line; fence line that extends from northwest corner of house indicated by orange line, cutting directly through driveway and parking area.

- Fourth, in order to construct a horizontal-board fence, the land must be reasonably flat. The build line extending from the end of the wall has a much less severe slope than other parts of this area, and as a result, a horizontal fence is possible here, as seen in Figures 11 and 12. Again, a horizontal-board fence is the most period-appropriate option for this historic property, but in order to install one, there will need to be some flexibility to accommodate 309 Star Street’s unique challenges.
- Fifth, the request for a variance must address potential arguments that the proposed fence qualifies as a “front yard fence.” Because of the angled placement of the house, this fence does not serve as a “front-yard fence”—the true front yard of 309 Star St. is some distance from this area of the property, and the driveway/parking area is not visible from the front yard because of the brick wall (see Figures 1 and 2, above). This new fence is akin, rather, to a similar fence running from the side of a house directly across the street at 306 Star St.

In short, this project requires a variance that will only apply to a single Old Town Rockwall property and that is justifiable for this unusual situation.

Closing Remarks

I am excited about how the fence and gate will enhance the historic character of the property and provide a more appropriate enclosure for the back yard of this midcentury modern home. I have been working toward restoring this architectural gem for the past eight years, and the fence project will provide a significant step forward in that ongoing work. As a homeowner within this invaluable part of the city, I strive to invest my money in period-appropriate projects that the historic nature of the property and the neighborhood. In this case, a variance is the only way to achieve that goal. Maintaining the integrity of Old Town Rockwall is extremely important to me as the steward of a contributing property, and I thank you for your service to that shared mission.

Sincerely,



Karen Roggenkamp



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. MIS 2021-017

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CITY ENGINEER: _____

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LOT All of lots 12, 13, 14, 15, 16; parts of lots 3, 4, 5, 6, 11 BLOCK B

ZONING, SITE PLAN AND PLATTING INFORMATION (PLEASE PRINT)

CURRENT ZONING	CURRENT USE	
PROPOSED ZONING	PROPOSED USE	
ACREAGE	LOTS (CURRENT)	LOTS (PROPOSED)

SITE PLANS AND PLATS: BY CHECKING THIS BOX YOU ACKNOWLEDGE THAT DUE TO THE PASSAGE OF HB3187 THE CITY NO LONGER HAS FLEXIBILITY WITH REGARD TO ITS APPROVAL PROCESS AND FAILURE TO ADDRESS ANY OF STAFF'S COMMENTS BY THE DATE PROVIDED ON THE DEVELOPMENT CALENDAR WILL RESULT IN THE DENIAL OF YOUR CASE.

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OWNER Karen Roggenkamp

APPLICANT Karen Roggenkamp

CONTACT PERSON ADDRESS 309 Star St.

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CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP Rockwall, TX 75087

PHONE 612-501-6532

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E-MAIL Karenroggenkamp@hotmail.com

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NOTARY VERIFICATION (REQUIRED)

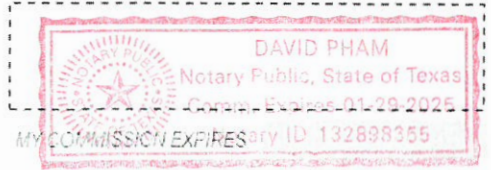
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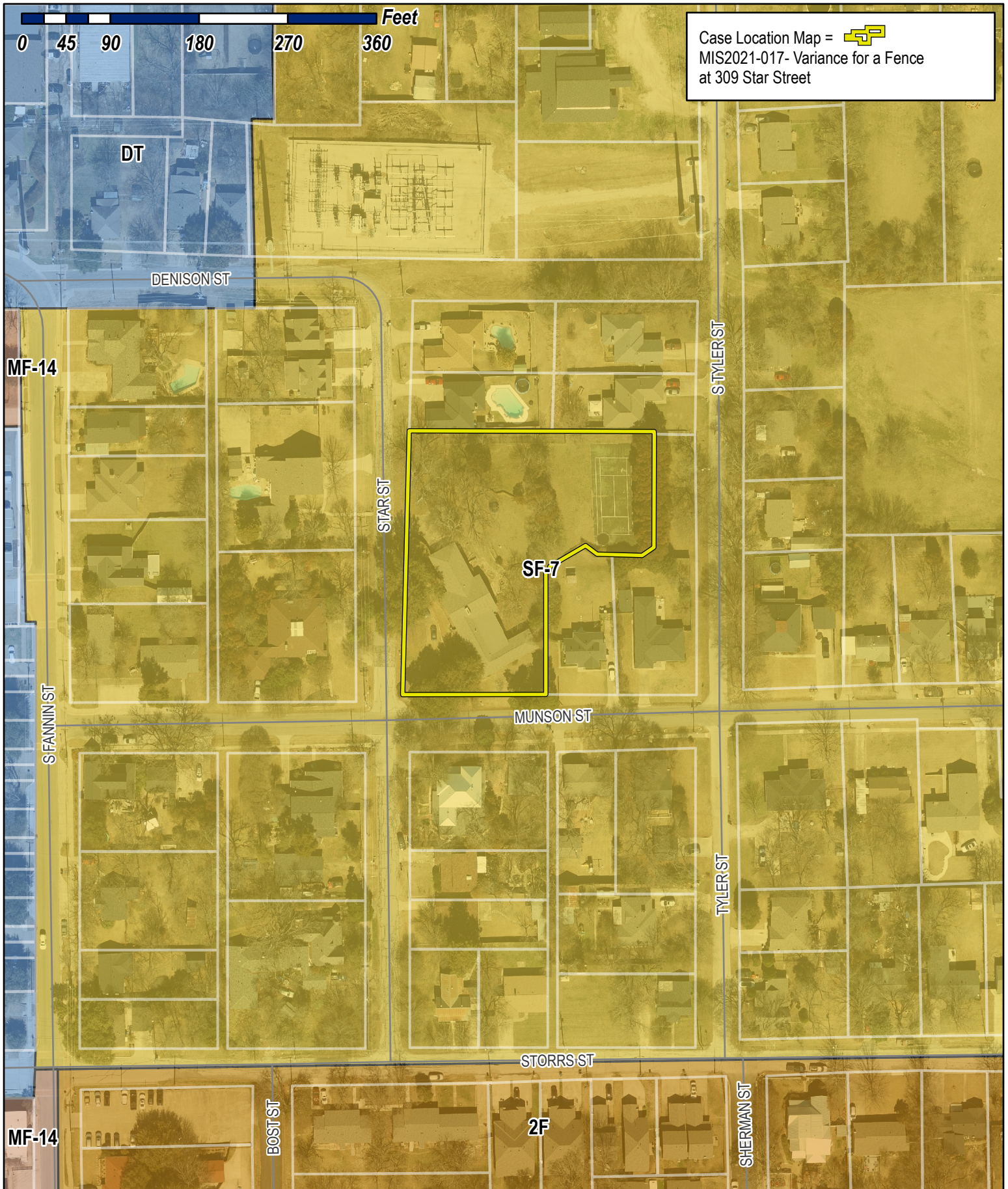
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GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 17 DAY OF December 2021

OWNER'S SIGNATURE [Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS [Signature]





Case Location Map = 
 MIS2021-017- Variance for a Fence
 at 309 Star Street



City of Rockwall

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

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



**Petition for Fence Code Variance
309 Star St.
Rockwall, TX 75087
Karen Roggenkamp, Owner
16 December 2021**

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Figure 1. 309 Star St.

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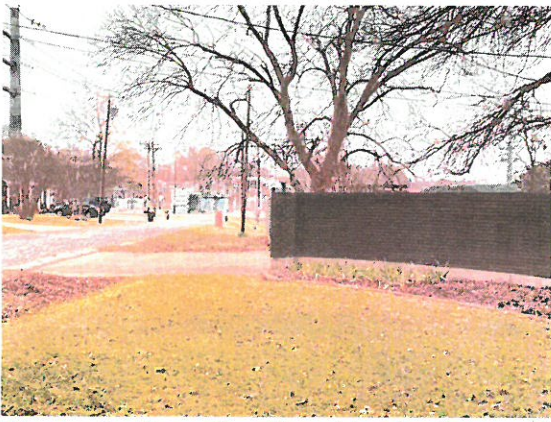


Figure 2. Curved wall and beginning portion of driveway as seen from front yard (Star St. on left). Exterior parking area and majority of driveway are blocked by wall.



Figure 3-4. Curved wall from beginning portion of driveway and from parking area.

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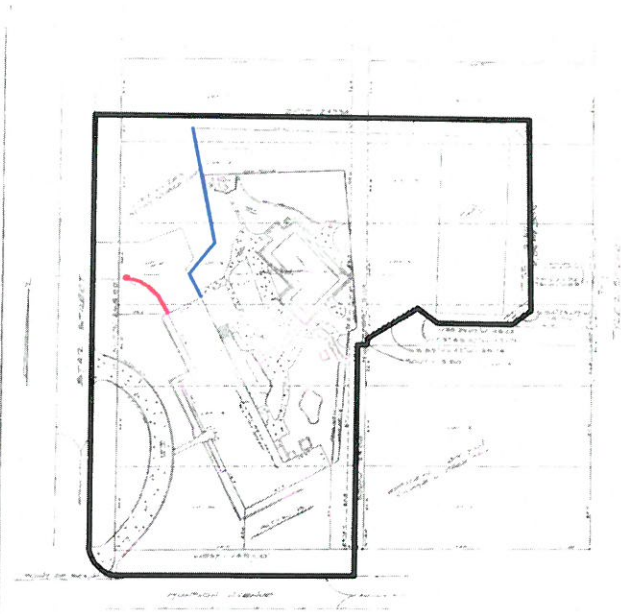


Figure 5. Survey of property. Bold line indicates property perimeter; red line indicates curved wall beside driveway/parking area; blue line indicates current stockade fence. The brick wall begins at a point that is on the same build line of the front portion of the house. Garage is recessed several feet back from main portion of the house.

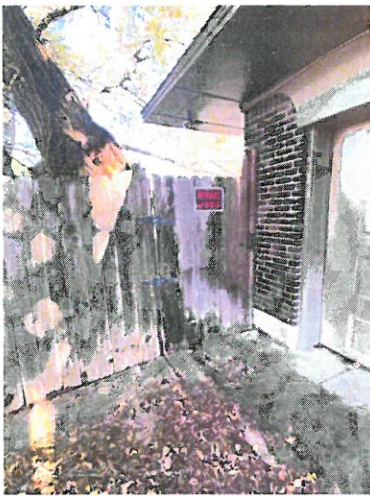
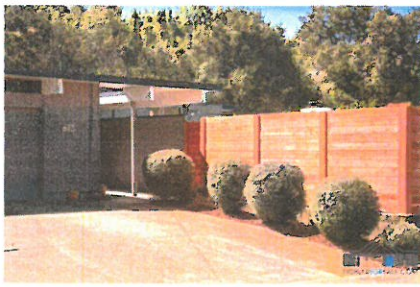


Figure 6. Current narrow gate.

Design of New Fence

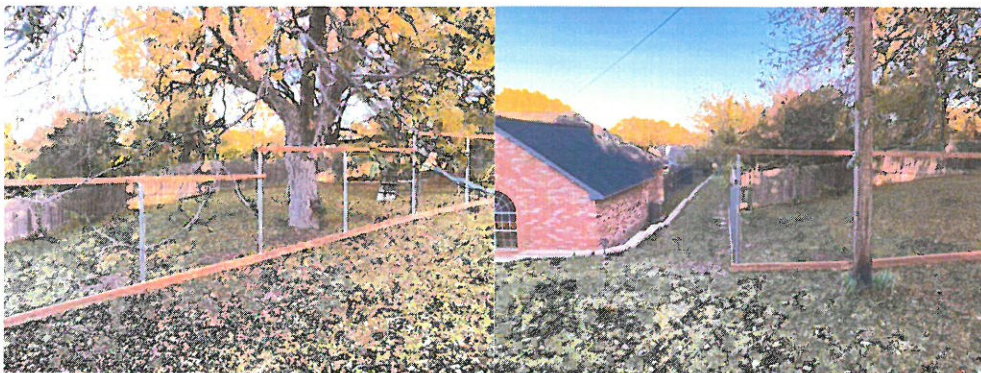
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Figures 7-10. Examples of horizontal board fence design for midcentury modern properties.

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Note: because this project involves replacing an already-existing fence and does not require alteration to the house itself, neither I nor the fencing contractor understood that we needed to gain approval first from the historic preservation board, and then from planning and zoning before construction began. The contractor had already set the posts for the new fence when we recognized our mistake, and we immediately stopped construction pending approval (see Figures 11 and 12) The photographs below show the posts that were set for the new fence, with the old fence in the background. (The northern edge of the property is the retaining wall on the left side of Figure 12.) Please note difference in slope of ground in the area of the old fence vs. the new fence.



Figures 11 and 12. Desired placement of new fence.

Justification of Variance

In order to construct a fence that aligns with and enhances the historic nature of this property, the new fence requires a variance because it will follow a build line taken from the brick wall that extends from the garage and curves around part of the driveway, rather than a build line taken from the corner of the garage. Running the gate and fence directly from the curved wall is appropriate for a number of reasons.

- First, 309 Star St. is a unique Old Town Rockwall property sitting on an extremely atypical lot, and the skewed orientation of the house in relation to the street presents may be singular within the city. The angled alignment of the house is a notable feature of the property, but as a result, current city ordinances do not easily apply. As such, a code variance in this situation is worthy of consideration, and it should not set precedent given that other properties do not feature the same characteristics.
- Second, the garage area of the house includes an oddly-shaped parking area extending away from the garage. Provided the new fence and gate can extend from the curved wall, they will screen this visually unappealing area from the street, which currently detracts from the aesthetic of the house. The gate and fence will, instead, enhance the midcentury lines and style of this important house.
- Third, the only feasible location for the new gate and fence follows a build line defined by the brick wall, which is at the narrowest portion of the driveway. In contrast, if the build line for the fence begins at the northwest corner of the garage, it will not be possible to screen the parking area and provide additional security because a gate and fence would bisect the concrete parking area and make entrance into the garage difficult, rendering both useless (see Figure 13—the proposed new fence that follows the build line extending from the curved wall is marked in green, while the build line defined by the corner of the garage and that bisects the parking area is marked in orange).

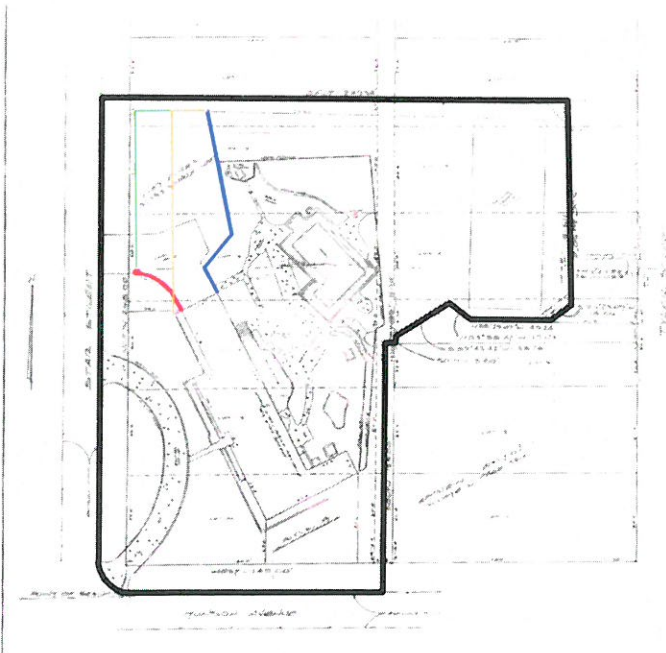


Figure 13. Proposed new fence line extending from the build line of the curved brick wall indicated by green line; fence line that extends from northwest corner of house indicated by orange line, cutting directly through driveway and parking area.

- Fourth, in order to construct a horizontal-board fence, the land must be reasonably flat. The build line extending from the end of the wall has a much less severe slope than other parts of this area, and as a result, a horizontal fence is possible here, as seen in Figures 11 and 12. Again, a horizontal-board fence is the most period-appropriate option for this historic property, but in order to install one, there will need to be some flexibility to accommodate 309 Star Street's unique challenges.
- Fifth, the request for a variance must address potential arguments that the proposed fence qualifies as a "front yard fence." Because of the angled placement of the house, this fence does not serve as a "front-yard fence"—the true front yard of 309 Star St. is some distance from this area of the property, and the driveway/parking area is not visible from the front yard because of the brick wall (see Figures 1 and 2, above). This new fence is akin, rather, to a similar fence running from the side of a house directly across the street at 306 Star St.

In short, this project requires a variance that will only apply to a single Old Town Rockwall property and that is justifiable for this unusual situation.

Closing Remarks

I am excited about how the fence and gate will enhance the historic character of the property and provide a more appropriate enclosure for the back yard of this midcentury modern home. I have been working toward restoring this architectural gem for the past eight years, and the fence project will provide a significant step forward in that ongoing work. As a homeowner within this invaluable part of the city, I strive to invest my money in period-appropriate projects that the historic nature of the property and the neighborhood. In this case, a variance is the only way to achieve that goal. Maintaining the integrity of Old Town Rockwall is extremely important to me as the steward of a contributing property, and I thank you for your service to that shared mission.

Sincerely,



Karen Roggenkamp



CITY OF ROCKWALL

HISTORIC PRESERVATION ADVISORY BOARD CASE MEMO

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Historic Preservation Advisory Board
DATE: December 16, 2021
APPLICANT: Karen Roggenkamp
CASE NUMBER: H2021-008; *Certificate of Appropriateness (COA) for 309 Star Street*

SUMMARY

Hold a public hearing to discuss and consider a request by Karen Roggenkamp for the approval of a Certificate of Appropriateness (COA) for a *Medium Contributing Property* being a 1.189-acre tract of land identified as a portion of Lots 3, 4, 5, 6, & 11 and all of Lots 12, 13, 14, 15, & 16, Block B, Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 309 Star Street, and take any action necessary.

BACKGROUND

The subject property was annexed into the city prior to 1911 based on the April 1911 Sanborn Maps. According to the Rockwall Central Appraisal District (RCAD), existing on the subject property is a ~3,713 SF single-family home that was constructed in 1955. According to the *2017 Historic Resource Survey*, the subject property is classified as a *Medium Contributing Property*. The property is a one (1) story home constructed in a ranch style. The Rockwall Central Appraisal District (RCAD) indicates that a tennis/basketball court is also located on the property. This is a *Non-Contributing* secondary structure. As a note, the 1911 and 1934 Sanborn Map(s) indicate a primary and secondary structure that do not meet the existing building footprint. This indicates that these previous structures were demolished at some point prior to construction of the current single-family home.

On November 8, 2021, the property owner submitted a fence permit (*Permit No. RES2021-6279*) to allow the construction of a fence on the subject property; however, construction of the fence had already commenced prior to this submission. According to the applicant's letter, the applicant and his contractor were unaware they needed to get a permit "...because this project involves replacing an already existing fence and does not require alteration to the house itself..." Staff should point out that there was an existing six (6) foot wood fence that was removed from the property. This fence extended from the front corner of the existing single-family home -- *parallel to the front property line* --, to the northern property line along the front yard building setback. Staff should note, that this was a permitted fence configuration; however, the applicant has moved the fence into the front yard building setback. This means that in addition to seeking a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB), the applicant will also need to seek a variance from the Planning and Zoning Commission.

PURPOSE

The applicant is requesting approval of a Certificate of Appropriateness (COA) for the purpose of permitting a new residential fence/front yard fence on the subject property.

ADJACENT LAND USES AND ACCESS

The subject property is located at 309 Star Street. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is 305 Star Street, which is a 0.203-acre parcel of land with a ~1,444 SF single-family home situated on it. According to the *2017 Historic Resource Survey*, this home was constructed in 1996 and is designated as a *Non-Contributing Property*. Beyond this is 301 Star Street, which is a 0.249-acre parcel of land with a ~1,325 SF single-family home situated on it. According to the *2017 Historic Resource Survey*, this home

was constructed in 1995 and is designated as a *Non-Contributing Property*. All of these properties are zoned Single-Family 7 (SF-7) District and are located within the Old Town Rockwall (OTR) Historic District.

South: Directly south of the subject is 402 Star Street, which is a 0.321-acre parcel of land with a ~3,851 SF single-family home situated on it. According to the *2017 Historic Resource Survey*, this home was constructed in 1885 and is designated as a *High Contributing Property*. Beyond this are two (2) lots with single family homes situated on them. According to the *2017 Historic Resource Survey*, these properties are designated as a *Non-Contributing Property*. All of these properties are zoned Single-Family 7 (SF-7) District and are located within the Old Town Rockwall (OTR) Historic District.

East: Directly east of the subject property is 407 Munson Street and 409 Munson Street. 407 Munson Street is a 0.152-acre parcel of land with a ~1,040 SF single-family home built in 1930 situated on it. 409 Munson Street is a 0.185-acre parcel of land with a ~1,566 SF single-family home built in 1970 situated on it. According to the *2017 Historic Resource Survey*, these properties are designated as a *Non-Contributing Property*. Beyond this is 501 Munson Street, which is a 0.313-acre parcel of land with a ~1,816 SF single-family home situated on it. According to the *2017 Historic Resource Survey*, this home was constructed in 1901 and is designated as a *Medium Contributing Property*. All of these properties are zoned Single-Family 7 (SF-7) District and are located within the Old Town Rockwall (OTR) Historic District.

West: Directly west of the subject property is 307 Munson Street and 306 Star Street. 307 Munson Street is a 0.482-acre parcel of land with a ~3,163 SF single-family home built in 1980 situated on it. 306 Star Street is a 0.480-acre parcel of land with a ~3,451 SF single-family home built in 1985 situated on it. According to the *2017 Historic Resource Survey*, these properties are designated as a *Non-Contributing Property*. Beyond this is 317 Fannin Street, which is a 0.273-acre parcel of land with a ~1,702 SF single-family home situated on it. According to the *2017 Historic Resource Survey*, this home was constructed in 1940 and is designated as a *Low Contributing Property*. All of these properties are zoned Single-Family 7 (SF-7) District and are located within the Old Town Rockwall (OTR) Historic District.

CHARACTERISTICS OF THE PROJECT

The applicant is proposing to finish constructing a wood fence that will stand six (6) feet in height and incorporate horizontal board design. This fence will be located along the western property line adjacent to Star Street and extend from the end of the existing brick fence that runs along the driveway to the norther property line. At this point the fence will turn east and run to a point along the property line even with the eastern corner of the garage. Additionally, the proposed fence will incorporate an electrical gate at the driveway. The fence will be visible from Star Street and the adjacent properties to the north and west.

CONFORMANCE TO THE HISTORIC DISTRICT GUIDELINES & CITY'S CODES

According to Section 07(H), *Building Standards*, of Appendix D, *Historic Preservation Guidelines*, of the Unified Development Code (UDC), "(a) fence in the front, side, or rear yards should meet all applicable city codes ... (a)ny fence that requires review must be architecturally compatible in height, materials, color, texture and design with the style and period of the main structure on the lot." In this case, the proposed fence is being built using a horizontal board design, which is stylistic of midcentury modern homes. Staff should note that the fence will only be visible along Star Street and will be situated within the front yard building setback of the property. As previously stated the fence is intended to replace an existing six (6) foot wood fence that was located at the front yard building setback and which has been removed from the property.

According to Subsection 08.03(C)(2), *Fence Placement*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), "(n)o fence shall be constructed in the front yard of a residential property without being granted an exception from the Planning and Zoning Commission unless specifically permitted by Subsection 08.03(D)(3). For the purposes of this provision the front yard is defined as the area between the front façade of the primary structure and the front property line..." In this case, the applicant is proposing a front yard fence which would require approval from the Planning and Zoning Commission. Staff would like to note that due to the unusual orientation of the home and the existing driveway on the subject property, a fence that is in line with the front build line of the home makes it difficult for the proposed fence to properly cross the driveway. Additionally, the existing brick wall that extends from the front build line would require the fence to begin where the corner of the garage and wall meet. This would result in a fence line that potentially would take away from the midcentury

modern aesthetic of the existing property. Further, the sloped grade where the existing fence sits would make it difficult for a fence with horizontal boards in the midcentury modern style to be placed. Additionally, the property adjacent to the north of the subject property sits below grade, this results in the adjacent property already being partially screened from the view from Star street. As noted in the *Adjacent Land Uses and Access* section of this case memo, this property (*i.e. the property north of the subject property*) is a *Non-Contributing* property that was constructed in 1996.

According to Subsection 06.03(G)(5), *Standards of Approval*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "...the Historic Preservation Advisory Board (HPAB) must approve the application for a Certificate of Appropriateness (COA) if it determines that ... the application will not adversely affect the character of the site; and the proposed work is consistent with the regulations contained in this section and proposed preservation criteria ...". While the applicant's proposed scope of work does not meet the existing UDC guidelines for placement of a front yard fence in a residential district, the proposed project does not appear to impair the historical integrity of the subject property or negatively impact any of the adjacent properties; however, approval of a Certificate of Appropriateness (COA) is a discretionary decision for the Historic Preservation Advisory Board (HPAB). Should the Historic Preservation Advisory Board approve the COA, a recommendation would be forwarded to the Planning and Zoning Commission for the approval of an exception to allow the front yard fence.

CONDITIONS OF APPROVAL

If the Historic Preservation Advisory Board (HPAB) chooses to approve the request for a Certificate of Occupancy (COA), staff would propose the following conditions of approval:

- (1) The applicant will need to submit and be approved for an exception to allow a front yard fence.
- (2) Any construction resulting from the approval of this request shall conform to the requirements set forth by the Unified Development Code (UDC), the International Building Code (IBC), the Rockwall Municipal Code of Ordinances, city adopted engineering and fire codes and with all other applicable regulatory requirements administered and/or enforced by the state and federal government.



HISTORIC PRESERVATION ADVISORY BOARD APPLICATION

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

STAFF USE ONLY

CASE NUMBER: _____

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

DIRECTOR OF PLANNING: _____

DATE RECEIVED: _____

RECEIVED BY: _____

APPLICATION:

- CERTIFICATE OF APPROPRIATENESS (COA)
- LOCAL LANDMARK EVALUATION & DESIGNATION
- BUILDING PERMIT WAIVER & REDUCTION PROGRAM
- SMALL MATCHING GRANT APPLICATION

SPECIAL DISTRICTS [SELECT APPLICABLE]:

- OLD TOWN ROCKWALL HISTORIC (OTR) DISTRICT
- PLANNED DEVELOPMENT DISTRICT 50 (PD-50)
- SOUTHSIDE RESIDENTIAL NEIGHBORHOOD OVERLAY (SRO) DISTRICT
- DOWNTOWN (DT) DISTRICT

CONTRIBUTING STATUS [SELECT APPLICABLE]:

- LANDMARKED PROPERTY
- HIGH CONTRIBUTING PROPERTY
- MEDIUM CONTRIBUTING PROPERTY
- LOW CONTRIBUTING PROPERTY
- NON-CONTRIBUTING PROPERTY

CURRENT LAND USE OF THE SUBJECT PROPERTY:

- RESIDENTIAL
- COMMERCIAL

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 309 Star St.

SUBDIVISION Eppstein Addition

LOT See Letter BLOCK B

Part 3, 4, 5, 6, 11; All of 12, 13, 14, 15, 16

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

IS THE OWNER OF THE PROPERTY THE PRIMARY CONTACT? YES NO APPLICANT(S) IS/ARE: OWNER TENANT NON-PROFIT RESIDENT

CHECK THIS BOX IF OWNER AND APPLICANT ARE THE SAME.

OTHER, SPECIFY: _____

OWNER(S) NAME Karen Roggenkamp

APPLICANT(S) NAME _____

ADDRESS 309 Star St.
Rockwall, TX 75087

ADDRESS _____

PHONE 612-501-6532

PHONE _____

E-MAIL karenroggenkamp@hotmail.com

E-MAIL _____

SCOPE OF WORK/REASON FOR EVALUATION REQUEST [PLEASE PRINT]

CONSTRUCTION TYPE [CHECK ONE]: EXTERIOR ALTERATION NEW CONSTRUCTION ADDITION DEMOLITION
 RELOCATIONS OTHER, SPECIFY: _____

ESTIMATED COST OF CONSTRUCTION/DEMOLITION OF THE PROJECT (IF APPLICABLE): \$ 12,000

PROJECT DESCRIPTION. IN THE SPACE PROVIDED BELOW OR ON A SEPARATE SHEET OF PAPER, DESCRIBE IN DETAIL THE WORK THAT WILL BE PERFORMED ON SITE. FOR LOCAL LANDMARK EVALUATION & DESIGNATION REQUESTS INDICATE ANY ADDITIONAL INFORMATION YOU MAY HAVE CONCERNING THE PROPERTY, HISTORY, SIGNIFICANCE, PRESENT CONDITIONS, STATUS, CURRENT OR PAST USE(S), ETC. STAFF RECOMMENDS THAT PHOTOGRAPHS OF THE INTERIOR AND EXTERIOR OF THE PROPERTY ARE SUBMITTED WITH THIS APPLICATION.

Replace existing fence. Please see attached letter.

OWNER & APPLICANT STATEMENT [ORIGINAL SIGNATURES REQUIRED]

I ACKNOWLEDGE THAT I HAVE READ THIS APPLICATION AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. FURTHERMORE, I UNDERSTAND THAT IT IS NECESSARY FOR ME OR A REPRESENTATIVE TO BE PRESENT AT A PUBLIC HEARING FOR THIS CASE TO BE APPROVED.

OWNER'S SIGNATURE [Signature]

APPLICANT'S SIGNATURE [Signature]

Petition for Certificate of Appropriateness
309 Star St.
Rockwall, TX 75087
Karen Roggenkamp, Owner
15 November 2021

Overview

309 Star St. is a 3800+ square foot midcentury modern house listed as a Medium Contributing property in the Old Town Rockwall district which sits on 1.18 acres of land, legally described portions of Lots 3, 4, 5, 6, and 11 and all of lots 12, 13, 14, 15, and 16 in Block B of Eppstein Addition. The house was built by then-Judge Ralph Hall in 1955, and the family lived there for twenty years (see Figure 1).



Figure 1. 309 Star St.

This petition requests a Certificate of Appropriateness to replace a failing stockade fence located on the northwest side of the property with a more period-appropriate horizontal board privacy fence, along with a gate that will open onto the driveway/garage area. The new fence will merge more of the property into the back yard, provide increased security to the garage and back yard, and screen an unattractive parking area from street view. As detailed below, due to the unique qualities of the property, this project may require a variance to the city ordinance regarding the build line for fence placement.

Unique Property Features

309 Star St. is located one block east of City Hall. The property is unusual because of the amount of land it includes for a home within city limits, but also because of its orientation. Unlike the normal orientation of Rockwall houses, which are built directly parallel to a street, this house sits at a pronounced angle at the corner of Fannin and Munson streets. The garage is on the side of the house, angling toward Star St., and a sizeable outdoor parking area is adjacent to the garage. Most of the driveway and the parking area are not visible from the front yard of the house because they are hidden behind a curved brick wall (seen at far left in Figure 1; closer views in Figures 2-4)



Figure 2. Curved wall and beginning portion of driveway as seen from front yard (Star St. on left). Exterior parking area and majority of driveway are blocked by wall.



Figure 3-4. Curved wall from beginning portion of driveway and from parking area.

Current Fence

The current stockade fence is neither stable nor an aesthetically sound choice for a midcentury modern property. It runs 120 feet from the northeast corner of the garage to a stopping point approximately 6 feet from the northern boundary of the property (see Figure 5). On the survey below, the bold line indicates property perimeter; the red line indicates the curved wall beside driveway/parking area; and the blue line indicates the location of the fence that needs replacing. The beginning of the brick wall stands at a point that is in line with the front portion of the house, as seen in Figure 3, but the garage is recessed a several feet back from this point. The old fence is set far back from Star St., and as such it does not enclose a significant portion of what could be part of the back yard of this angled property, rendering it under-utilized. Additionally, the fence's placement and configuration do not allow for larger items, such as a riding lawn mower or other sizable landscaping equipment, to pass through the narrow gate (see Figure 6).

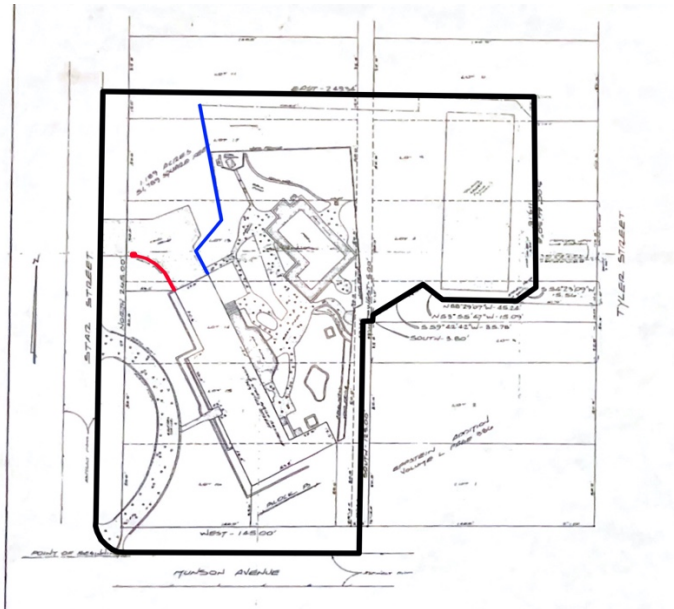


Figure 5. Survey of property. Bold line indicates property perimeter; red line indicates curved wall beside driveway/parking area; blue line indicates current stockade fence. The brick wall begins at a point that is on the same build line of the front portion of the house. Garage is recessed several feet back from main portion of the house.



Figure 6. Current narrow gate.

Design of New Fence

This project will replace the stockade fence with a 100'-long privacy fence made of horizontal boards and steel posts, which is more stylistically appropriate for the architectural lines and aesthetic of a midcentury modern house, as seen in the examples below (see Figures 7-11 below for examples).



Figures 7-11. Examples of horizontal board fence design for midcentury modern properties.

The proposed fence will include a solar-powered driveway gate, which would begin at the end of the curved brick privacy wall that runs beside the driveway. The gate will not affect the construction or integrity of the wall. This gate will provide additional security to the garage and the back yard of the property. It will also enable back yard access for oversized lawn equipment and assist in larger-scale landscaping projects which are not possible under the current fence/gate configuration. A contractor has already been hired to build this fence, and the company uses pre-stained wood in a medium brown color with secured metal posts, in keeping with current city code.

Note: because this project involves replacing an already-existing fence and does not require alteration to the house itself, neither I nor the fencing contractor understood that we needed to gain approval from the historic preservation board before construction began. The contractor had already set the posts for the new fence when we recognized our mistake, and we immediately stopped construction pending approval (see Figures 12 and 13) The photographs below show the posts that were set for the new fence, with the old fence in the background. (The northern edge of the property is the retaining wall on the left side of Figure 13.)



Figures 12 and 13. Desired placement of new fence.

Justification of Variance

The proposed new fence will run parallel to Star St. on a build line that begins at the western-most start point of the curved brick wall. The new fence may require a variance depending on whether the build line is taken from the brick wall, which is an integral part of the architecture, or from northwestern-most corner of the garage, which is approximately six feet further east.

Understandably, planning and zoning boards are typically reluctant to grant variances for fear that such action will set precedent. However, a variance is appropriate and justifiable in this case for several reasons.

- First, 309 Star St. is a unique Old Town Rockwall property sitting on an extremely atypical lot, and the skewed orientation of the house in relation to the street presents an unusual set of circumstances and challenges. The angled alignment of the house is a notable feature of the property, but as a result, current city ordinances do not easily apply. As such, a code variance in this situation is worthy of consideration, and it should not set precedent given that other properties do not feature the same characteristics.
- Second, the garage area of the house includes a large, oddly-shaped parking area extending away from the garage. Provided the new fence and gate can begin at build line extending from the curved wall, they will screen this visually unappealing area from the street, which currently detracts from the aesthetic of the house.
- Third, the only feasible location for the new gate and fence follows a build line defined by the brick wall, which is at the narrowest portion of the driveway and is, again, an integral part of the house. In contrast, if the build line for the fence begins at the northwest corner of the garage, it will not be possible to screen the parking area and provide additional security because a gate and fence cannot be constructed along that line. A fence/gate that follows that line would bisect the concrete parking area and make entrance into the garage difficult, rendering both useless (see Figure 14—the proposed new fence that follows the build line extending from the curved wall is marked in green, while the build line defined by the corner of the garage and that bisects the parking area is marked in orange).

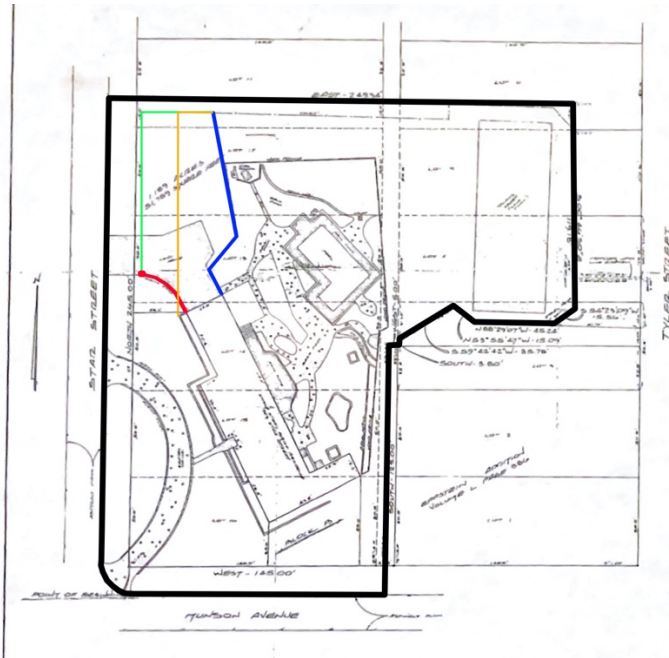


Figure 14. Proposed new fence line extending from the build line of the curved brick wall indicated by green line; fence line that extends from northwest corner of house indicated by orange line, cutting directly through driveway and parking area.

- Fourth, in order to construct a horizontal-board fence, the land must not have a sharp slope. The build line extending from the end of the wall has a much less severe slope than other parts of this area, and as a result, a horizontal fence is possible here, as seen in Figure 13.
- Fifth, the request for a variance must address potential arguments that the proposed fence qualifies as a “front yard fence.” Because of the angled placement of the house, this fence does not serve as a “front-yard fence”—the true front yard of 309 Star St. is some distance from this area of the property, and the driveway/parking area is not even readily visible from the front yard because of the brick wall (see Figures 1 and 2, above). As such, this fence will function to enclose an additional portion of the property into the *back yard* space.

In short, this project may require a variance that will only apply to a single Old Town Rockwall property and that is justifiable for this unusual situation.

Closing Remarks

I am excited about how the fence and gate will enhance the historic character of the property and provide a more appropriate enclosure for the back yard of this midcentury modern home. I have been working toward restoring this architectural gem for the past eight years, and the fence project will provide a significant step forward in that ongoing work. Maintaining the integrity of Old Town Rockwall is extremely important to me as the owner and steward of a contributing property, and I thank you for your service to that shared mission.

Sincerely,

Karen Roggenkamp

The survey is hereby accepted with the discrepancies, conflicts, or shortages in area or boundary lines, encroachments, protrusions, or overlapping of improvements shown.

X [Signature]
 X [Signature]

FIELD NOTES

Being a part of Lots 8, 9, 10, and 11, and all of Lots 12, 13, 14, 15, and 16 in Block B, of EPPSTEIN ADDITION, an addition to the City of Rockwall, Rockwall County, Texas, according to the map recorded in Volume 1, Page 386, of the Best Records of Rockwall County, Texas, and being more particularly described as follows:

Beginning at a 1/2" Iron rod found for the southwest corner of Lot 14, Block B of said EPPSTEIN ADDITION, and the northeast intersection of Star Street and Museum Avenue;

THENCE along the easterly line of said Star Street North a distance of 241.00 feet to a 1/2" Iron rod set, said Iron rod being North 15.00 feet from the northwest corner of Lot 12, Block B of said EPPSTEIN ADDITION;

THENCE departing the easterly line of said Star Street East a distance of 349.34 feet to a 1/2" Iron rod set;

THENCE South 00 degrees 44 minutes 30 seconds East a distance of 118.14 feet to a steel post in concrete;

THENCE South 14 degrees 27 minutes 49 seconds West a distance of 15.34 feet to a steel post in concrete;

THENCE South 44 degrees 27 minutes 07 seconds West a distance of 41.34 feet to a 1/8" Iron rod found;

THENCE North 22 degrees 37 minutes 47 seconds West a distance of 15.09 feet to a 1/8" Iron rod found;

THENCE South 18 degrees 41 minutes 42 seconds West a distance of 25.78 feet to a 1/8" Iron rod found;

THENCE South a distance of 3.80 feet to a 1/8" Iron rod found;

THENCE West a distance of 5.00 feet to a 1/8" Iron rod found;

THENCE South a distance of 125.00 feet to a 1/2" Iron rod found in the northerly line of said Museum Avenue;

THENCE along the northerly line of said Museum Avenue West a distance of 345.00 feet to the POINT OF BEGINNING and containing 1.123 acres or 31,743 square feet of land more or less.

SURVEYOR'S CERTIFICATE

I hereby certify that this survey is a true representation of facts found on the ground under my direct supervision on July 1, 1932

[Signature]
 Michael E. Glover
 S. T. L. 2, 473



THIS PROPERTY APPEARS TO LIE WITHIN ZONE ACCORDING TO THE FLOOD INSURANCE RATE MAP FOR THE CITY OF ROCKWALL, TEXAS, COMMUNITY FIRM, NO. 440127-03557. DATE: JUNE 25, 1932

ACCEPTED AND APPROVED BY [Signature]

DATE 7-1-32

SCALE 1" = 20'

DRAWN BY J. M. R.

CHECK BY M. E. G.

SHEET 4

BEING PART OF LOTS 8, 9, 10, 11, 12 AND ALL OF LOTS 13, 14, 15, 16, OF BLOCK B, OF EPPSTEIN ADDITION, VOLUME 1, PAGE 386.

BOUNDARY SURVEY OF A 1.123 ACRE TRACT CITY OF ROCKWALL

SURVIVE SURVEYING COMPANY 3333 Breckbush



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission
FROM: Henry Lee, *Planner*
DATE: December 28, 2021
SUBJECT: MIS2021-017; *Special Exception for a Fence at 309 Star Street*

On November 8, 2021, the property owner submitted a fence permit (*Permit No. RES2021-6279*) to allow the construction of a fence on the subject property; however, construction of the fence had already commenced prior to the permit being submitted. According to the applicant's letter, the applicant and his contractor were unaware they needed to get a permit "...because this project involves replacing an already existing fence and does not require alteration to the house itself..." Staff should point out that there was an existing six (6) foot wood fence that was removed from the property. This fence extended from the front corner of the existing single-family home -- *parallel to the front property line* --, to the northern property line along the front yard building setback. Staff should also note, that this was a permitted fence configuration; however, the applicant has moved the fence into the front yard building setback and the fence is now considered a front yard fence.

The applicant is proposing to finish constructing the wood fence. The fence will stand six (6) feet in height and incorporate a horizontal board design. This fence will be located along the western property line adjacent to Star Street and extend from the end of the existing brick fence that runs along the driveway to the northern property line. At this point the fence will turn east and run to a point along the property line even with the eastern corner of the garage. Additionally, the proposed fence will incorporate an electrical gate at the driveway. The fence will be visible from Star Street and the adjacent properties to the north and west (*see Figure 1 below*).

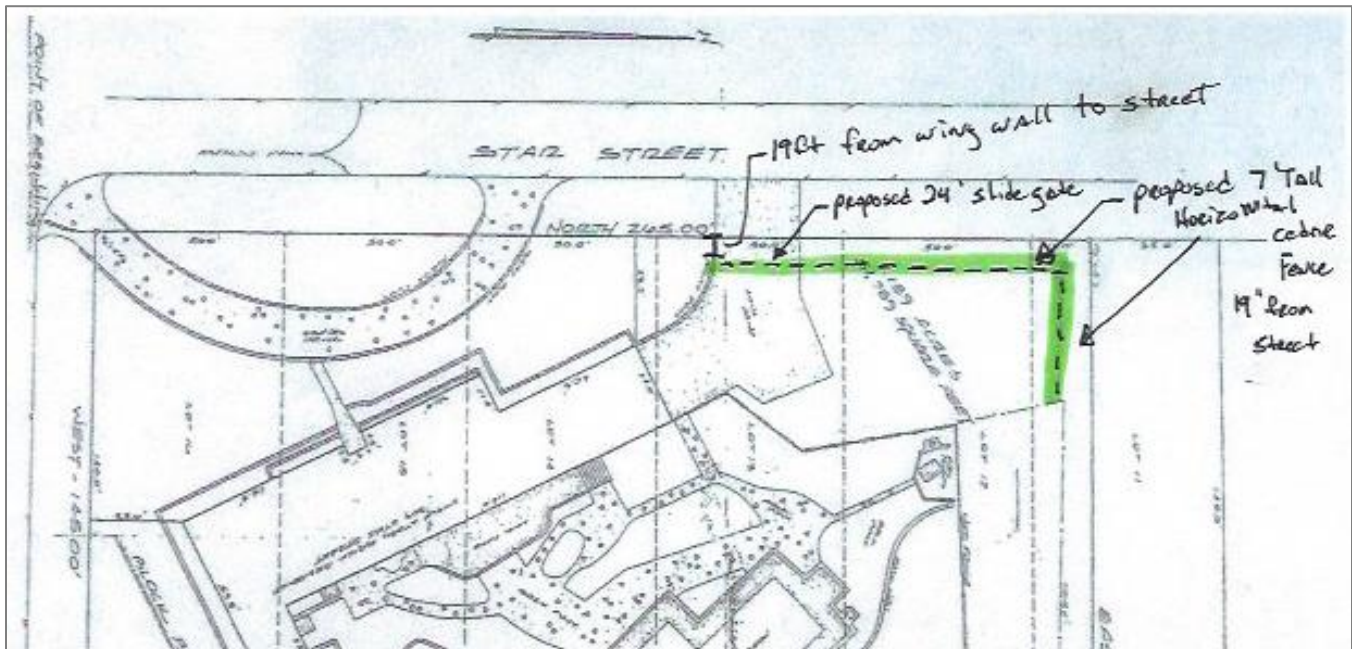


FIGURE 1: FENCE LOCATION ON THE SUBJECT PROPERTY

According to Subsection 08.03(D)(2), *Fence Placement*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), "(n)o fence shall be constructed in the front yard of a residential property without being granted an exception from the Planning and Zoning Commission unless specifically permitted by Subsection 08.03(D)(3)." Subsection 08.03(D)(2) also states that "(o)paque fences are prohibited in the front yard of residential properties." In this case, the proposed *Front Yard Fence* is a six (6) foot opaque horizontal board cedar fence. Staff should point out that the house on this

particular property has a unique orientation in that it is angled toward the intersection of Star Street and Munson Street, and has front yard building setbacks along both streets. In addition, an existing legally non-conforming wall extends from the corner of the garage toward Star Street, encroaching into the front yard building setback (see *Figure 2 at right*). The applicant has stated the purpose of the request is to allow for the driveway to be gated and due to the configuration of this existing fence, the proposed fence needs to extend into the front yard. In addition, there is a slope along the front yard building setback making it difficult to construct a horizontal board fence.



FIGURE 2: EXISTING FENCE

The subject property is also located in the Old Town Rockwall (OTR) Historic District and -- *in addition to seeking a variance from the Planning and Zoning Commission* -- the applicant was first required to seek a Certificate of Appropriateness (COA) from the Historic Preservation Advisory Board (HPAB). On December 16, 2021, the Historic Preservation Advisory Board (HPAB) reviewed the applicant request against the *Historic Preservation Guidelines* and the requirements of the Unified Development Code (UDC), and approved a Certificate of Appropriateness (COA) for the *Front Yard Fence* by a vote of 5-0, with Board Members McClintock and Miller absent. Based on this approval, the HPAB is sending a recommendation to approve the applicant's request to the Planning and Zoning Commission.

Staff has provided the information submitted by the applicant as part of this case in the attached packet. Staff should note that if denied the applicant would be required to bring the fence into conformance by moving it back to the front yard building setback. Should the Planning and Zoning Commission have any questions staff will be available at the meeting on December 28, 2021.

PROJECT COMMENTS



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

DATE: 12/21/2021

PROJECT NUMBER: MIS2021-017
 PROJECT NAME: Variance for a Fence at 309 Star Street
 SITE ADDRESS/LOCATIONS: 309 STAR ST, ROCKWALL, 75087

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

CASE CAPTION: Discuss and consider a request by Karen Roggenkamp for the approval of an Exception to allow a Fence in the Front Yard on a 1.189-acre tract of land identified as a portion of Lots 3, 4, 5, 6, & 11 and all of Lots 12, 13, 14, 15, & 16, Block B, Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 309 Star Street, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Amy Williams	12/20/2021	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	12/20/2021	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	12/20/2021	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	12/17/2021	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	Henry Lee	12/21/2021	Approved w/ Comments

12/21/2021: Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of an Exception to allow a Fence in the Front Yard on a 1.189-acre tract of land identified as a portion of Lots 3, 4, 5, 6, & 11 and all of Lots 12, 13, 14, 15, & 16, Block B, Eppstein Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, situated within the Old Town Rockwall (OTR) Historic District, addressed as 309 Star Street.

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

I.3 The request being brought forward to the Planning and Zoning Commission is for a Front Yard Fence. According to Subsection 08.03, of Article 08 of the Unified Development Code states that "(o)paque fences are prohibited in the front yard of residential properties." In this case the requested Front Yard Fence is an 6-foot opaque horizontal board cedar

fence.

I.4 Please note the scheduled meeting for this case:

1) Planning & Zoning Work Session meeting will be held on December 28, 2021 at 6pm in the council chambers at City Hall.

I.5 Staff recommends that a representative be present for the meetings as scheduled above to answer any questions the Commission or Council may have regarding your request. All meetings will be held in person, in the City's Council Chambers, and are scheduled to begin at 6:00 p.m.

Petition for Fence Code Variance
309 Star St.
Rockwall, TX 75087
Karen Roggenkamp, Owner
16 December 2021

Overview

309 Star St. is a 3800+ square foot midcentury modern house listed as a Medium Contributing property in the Old Town Rockwall district which sits on 1.18 acres of land, legally described portions of Lots 3, 4, 5, 6, and 11 and all of lots 12, 13, 14, 15, and 16 in Block B of Eppstein Addition. The house was built by then-Judge Ralph Hall in 1955, and the family lived there for twenty years (see Figure 1).



Figure 1. 309 Star St.

This petition requests an exception to city code for fence placement. The proposed building project will replace a failing stockade fence located on the northwest side of the property with a more period-appropriate horizontal board privacy fence, along with a gate that will open onto the driveway/garage/parking area. The new fence will replicate midcentury modern fencing types, extend the architectural lines of this historic property, merge an underutilized part of the property into the rest of the back yard, provide increased security to the garage and back yard, and screen an unattractive parking area from street view. As detailed below, due to the unique qualities of the property—including the angled orientation of the house on a large lot and the slope of the ground in the fence area—this project requires a variance to the city ordinance regarding the build line and placement for fences.

Unique Property Features

309 Star St. is unusual because of the amount of land it includes for a home within city limits, but, more notably, because of its orientation. Unlike the normal placement of Rockwall houses, which are built directly facing a street, this house sits at a pronounced angle at the corner of Star and Munson streets. The garage is on the side of the house, angling toward Star St., and a sizeable outdoor parking area is adjacent to the garage. The majority of the driveway and the parking area are not visible from the front yard of the house because they are hidden behind an original curved brick wall that extends from the garage (seen at far left in Figure 1; closer views in Figures 2-4).

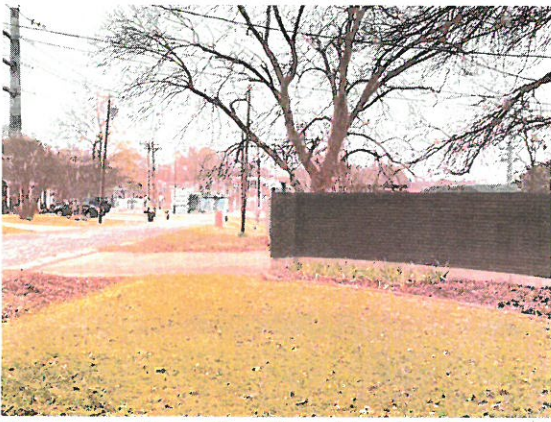


Figure 2. Curved wall and beginning portion of driveway as seen from front yard (Star St. on left). Exterior parking area and majority of driveway are blocked by wall.



Figure 3-4. Curved wall from beginning portion of driveway and from parking area.

Current Fence

The current stockade fence is neither stable nor an aesthetically sound choice for a midcentury modern property. It runs 120 feet from the northeast corner of the garage to a stopping point approximately 6 feet from the northern boundary of the property (see Figure 5). Parts of the northern side of the property slope downward, and the sharpest slope is located in the area where the current old fence stands.

On the survey below, the bold line indicates property perimeter; the red line indicates the curved wall beside driveway/parking area; and the blue line indicates the current location of the fence that needs replacing. The beginning of the brick wall stands at a point that is in line with the front build line of the house, as seen in Figure 3. The old fence is set far back from Star St., and as such it does not enclose a significant portion of what should function as part of the back yard of this angled property. Additionally, the fence's placement and configuration do not allow for larger items, such as a riding lawn mower or other sizable landscaping equipment, to pass through the narrow gate (see Figure 6).

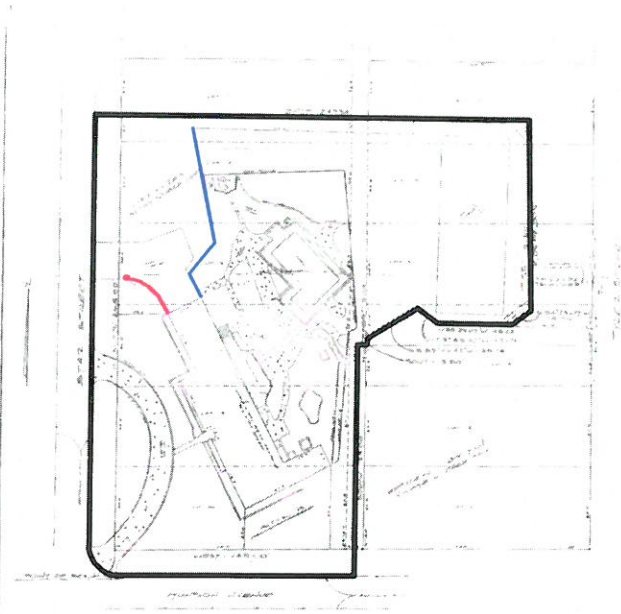


Figure 5. Survey of property. Bold line indicates property perimeter; red line indicates curved wall beside driveway/parking area; blue line indicates current stockade fence. The brick wall begins at a point that is on the same build line of the front portion of the house. Garage is recessed several feet back from main portion of the house.

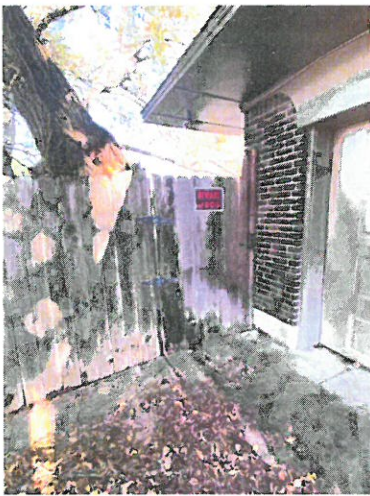
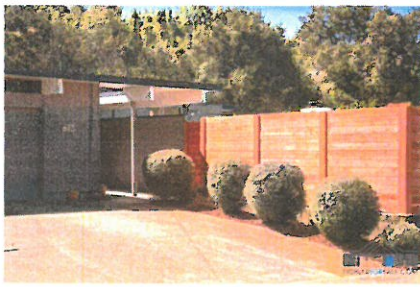


Figure 6. Current narrow gate.

Design of New Fence

This project will replace the stockade fence with a 100'-long privacy fence made of horizontal boards and steel posts. A horizontal fence is the stylistically appropriate choice for the architectural lines and aesthetic of this type of midcentury modern house, which borrows heavily from the design of 1950s Joseph Eichler houses, as seen in the examples below (see Figures 7-11 below for examples).



Figures 7-10. Examples of horizontal board fence design for midcentury modern properties.

The new fence will include a solar-powered driveway gate, which will begin at the end of the curved brick privacy wall that runs beside the driveway. The gate will not affect the construction or integrity of the wall. It will provide additional security to the garage, parking area, and back yard of the property. It will also enable back yard access for oversized lawn equipment and assist in larger-scale landscaping projects which are not possible under the current fence/gate configuration. A contractor has already been hired to build this fence, and the company uses pre-stained wood in a medium brown color with secured metal posts, in keeping with current city code.

Note: because this project involves replacing an already-existing fence and does not require alteration to the house itself, neither I nor the fencing contractor understood that we needed to gain approval first from the historic preservation board, and then from planning and zoning before construction began. The contractor had already set the posts for the new fence when we recognized our mistake, and we immediately stopped construction pending approval (see Figures 11 and 12) The photographs below show the posts that were set for the new fence, with the old fence in the background. (The northern edge of the property is the retaining wall on the left side of Figure 12.) Please note difference in slope of ground in the area of the old fence vs. the new fence.



Figures 11 and 12. Desired placement of new fence.

Justification of Variance

In order to construct a fence that aligns with and enhances the historic nature of this property, the new fence requires a variance because it will follow a build line taken from the brick wall that extends from the garage and curves around part of the driveway, rather than a build line taken from the corner of the garage. Running the gate and fence directly from the curved wall is appropriate for a number of reasons.

- First, 309 Star St. is a unique Old Town Rockwall property sitting on an extremely atypical lot, and the skewed orientation of the house in relation to the street presents may be singular within the city. The angled alignment of the house is a notable feature of the property, but as a result, current city ordinances do not easily apply. As such, a code variance in this situation is worthy of consideration, and it should not set precedent given that other properties do not feature the same characteristics.
- Second, the garage area of the house includes an oddly-shaped parking area extending away from the garage. Provided the new fence and gate can extend from the curved wall, they will screen this visually unappealing area from the street, which currently detracts from the aesthetic of the house. The gate and fence will, instead, enhance the midcentury lines and style of this important house.
- Third, the only feasible location for the new gate and fence follows a build line defined by the brick wall, which is at the narrowest portion of the driveway. In contrast, if the build line for the fence begins at the northwest corner of the garage, it will not be possible to screen the parking area and provide additional security because a gate and fence would bisect the concrete parking area and make entrance into the garage difficult, rendering both useless (see Figure 13—the proposed new fence that follows the build line extending from the curved wall is marked in green, while the build line defined by the corner of the garage and that bisects the parking area is marked in orange).

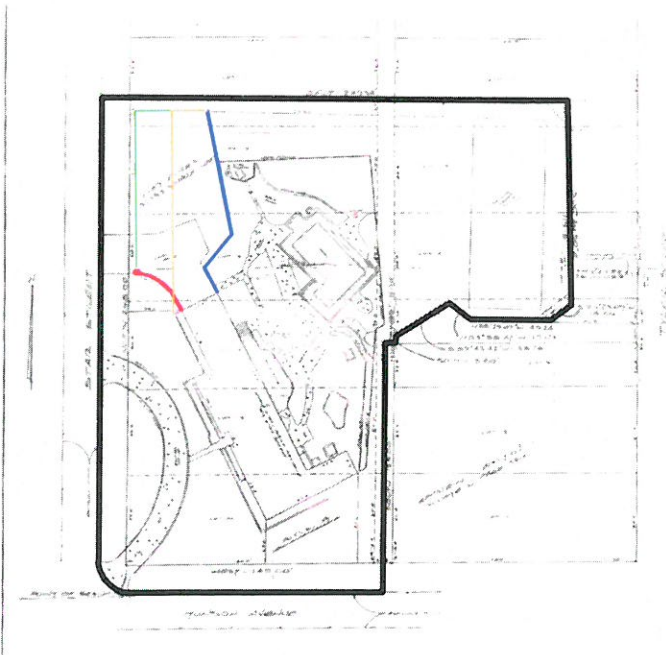


Figure 13. Proposed new fence line extending from the build line of the curved brick wall indicated by green line; fence line that extends from northwest corner of house indicated by orange line, cutting directly through driveway and parking area.

- Fourth, in order to construct a horizontal-board fence, the land must be reasonably flat. The build line extending from the end of the wall has a much less severe slope than other parts of this area, and as a result, a horizontal fence is possible here, as seen in Figures 11 and 12. Again, a horizontal-board fence is the most period-appropriate option for this historic property, but in order to install one, there will need to be some flexibility to accommodate 309 Star Street’s unique challenges.
- Fifth, the request for a variance must address potential arguments that the proposed fence qualifies as a “front yard fence.” Because of the angled placement of the house, this fence does not serve as a “front-yard fence”—the true front yard of 309 Star St. is some distance from this area of the property, and the driveway/parking area is not visible from the front yard because of the brick wall (see Figures 1 and 2, above). This new fence is akin, rather, to a similar fence running from the side of a house directly across the street at 306 Star St.

In short, this project requires a variance that will only apply to a single Old Town Rockwall property and that is justifiable for this unusual situation.

Closing Remarks

I am excited about how the fence and gate will enhance the historic character of the property and provide a more appropriate enclosure for the back yard of this midcentury modern home. I have been working toward restoring this architectural gem for the past eight years, and the fence project will provide a significant step forward in that ongoing work. As a homeowner within this invaluable part of the city, I strive to invest my money in period-appropriate projects that the historic nature of the property and the neighborhood. In this case, a variance is the only way to achieve that goal. Maintaining the integrity of Old Town Rockwall is extremely important to me as the steward of a contributing property, and I thank you for your service to that shared mission.

Sincerely,



Karen Roggenkamp

Lee, Henry

From: Lee, Henry
Sent: Tuesday, December 21, 2021 3:59 PM
To: [REDACTED]
Subject: Staff Comments MIS2021-017
Attachments: Project Comments (12.21.2021).pdf

Good Afternoon,

Attached are staff comments in reference to your case MIS2021-017. Make note of the meeting date as a representative is required to be present at the meeting.

Thank you,



HENRY LEE
Planner
Planning & Zoning Department
972.772.6434
HLee@rockwall.com
385 S. Goliad Street, Rockwall, TX 75087



January 7, 2022

TO: Karen Roggenkamp
309 Star Street
Rockwall, TX 75087

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

SUBJECT: MIS2021-017; *Exception for Fence at 309 Star Street*

Karen Roggenkamp:

This letter serves to notify you that the above referenced miscellaneous case, that you submitted for consideration by the City of Rockwall, was approved by the Planning and Zoning Commission on December 28, 2021. The following is a record of all recommendations, voting records and conditions of approval:

Planning and Zoning Commission

On December 28, 2021, the Planning and Zoning Commission approved a motion to approve of the miscellaneous case with the conditions of approval by a vote of 5-0, with Commissioners Welch and Womble absent.

Should you have any questions or concerns regarding your miscellaneous case or the miscellaneous case process, please feel free to contact me a (972) 771-7745.

Sincerely,

A handwritten signature in black ink, appearing to read "Henry Lee", is written over a light blue horizontal line.

Henry Lee
Planner