

#### **PLANNING & ZONING CASE NO.**

#### **PLANNING & ZONING FEE**

**PLATTING APPLICATION** 

MASTER PLAT PRELIMINARY PLAT FINAL PLAT REPLAT

AMENDING OR MINOR PLAT PLAT REINSTATEMENT REQUEST

SITE PLAN APPLICATION

SITE PLAN

AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING

**ZONING APPLICATION** 

ZONING CHANGE SPECIFIC USE PERMIT PD DEVELOPMENT PLAN

OTHER APPLICATION

TREE REMOVAL

VARIANCE REQUEST/SPECIAL EXCEPTIONS

#### RECORD OF RECOMMENDATIONS, VOTING RECORDS, AND CONDITIONS OF APPROVAL

ARCHITECTURE REVIEW BOARD	CITY COUNCIL READING #2
PLANNING AND ZONING COMMISSION	CONDITIONS OF APPROVAL
CITY COUNCIL READING #1	NOTES



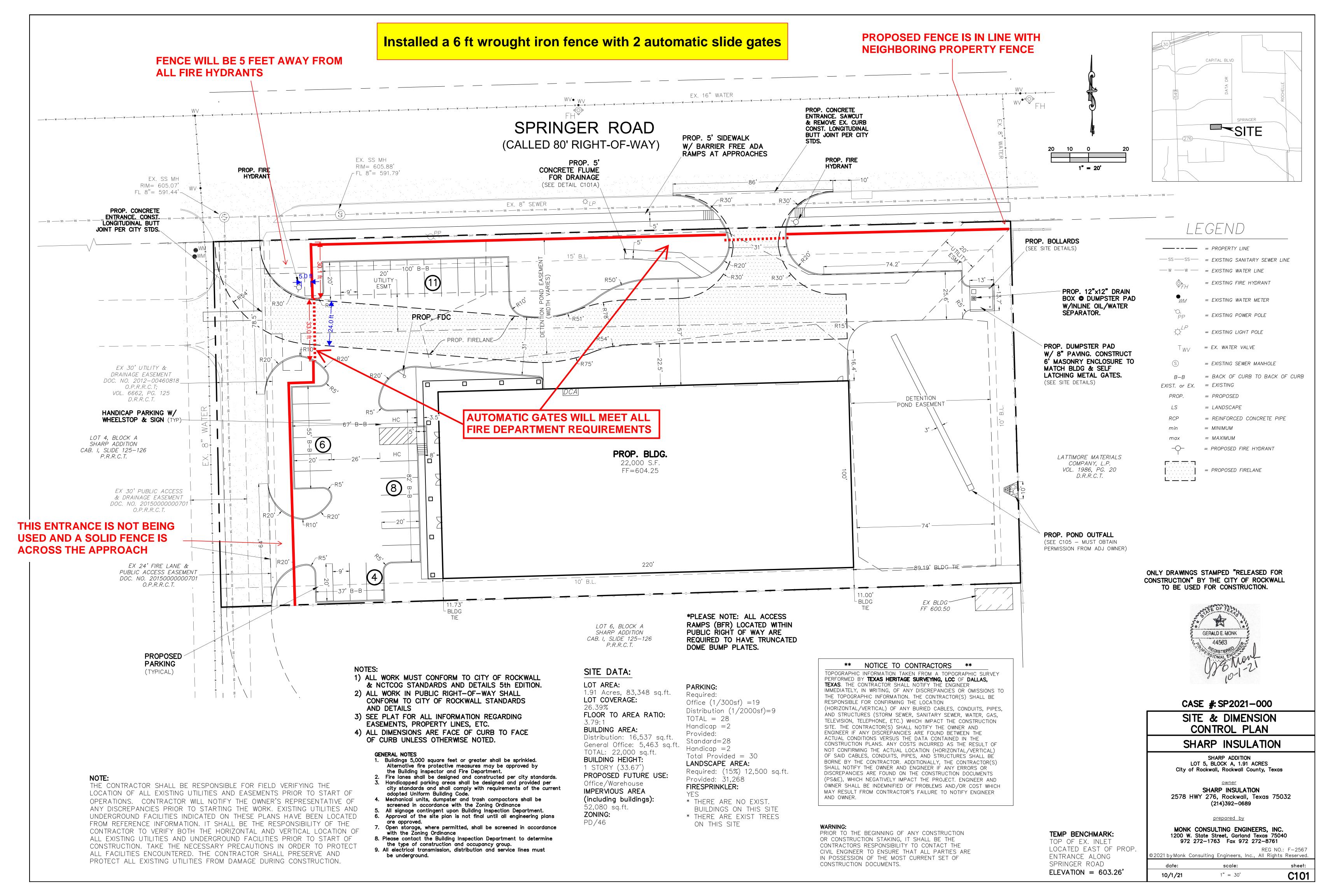
## **DEVELOPMENT APPLICATION**

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

PLANNING & ZONING CASE NO.
<u>NOTE:</u> THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.
DIRECTOR OF PLANNING:
CITY ENGINEER:

	Rockwall, Texas 750	87		DIRECTOR OF				
			.	CITY ENGINEE	:K:			
PLEASE CHECK THE	APPROPRIATE BOX BELOW TO	O INDICATE THE TYPE O	F DEVELOPMEN	IT REQUEST [	SELECT ONLY	ONE BOX1:_		
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CONTACT PERSON	Kris Sharp	0	CONTACT PERS	SON				
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	OWNER'S SIGNATURE	2 K		>		-	July 17, 2025	

DEVELOPMENT APPLICATION OF ROCKWALL • 385 SOUTH GOLIAD STREET • ROCKWALL, TX 75087 • [P] (972) 771-7745





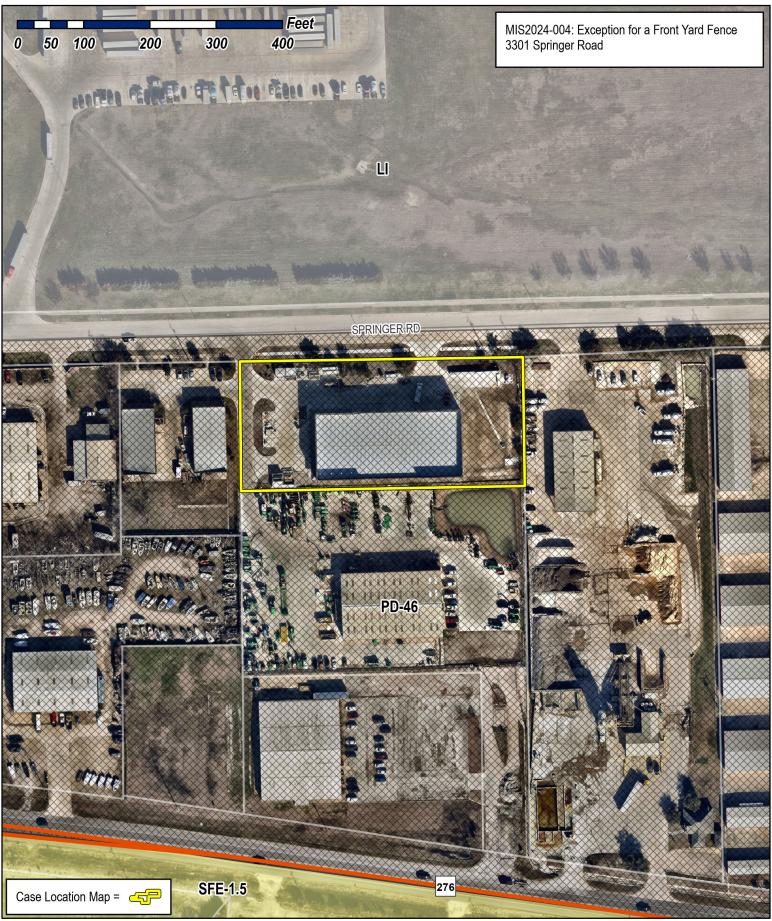
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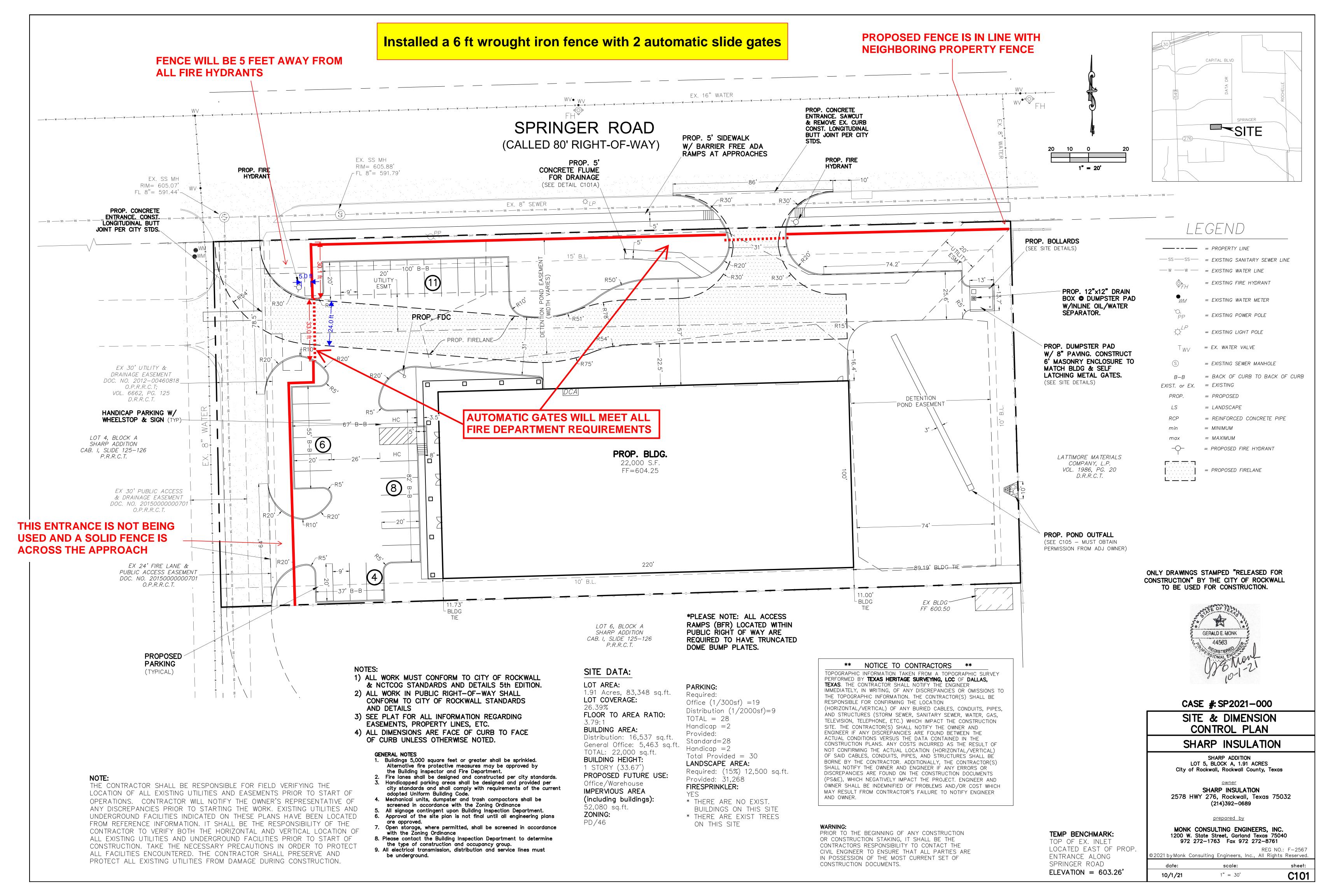


# City of Rockwall Planning & Zoning Department 385 S. Goliad Street Rockwall, Texas 75087

(P): (972) 771-7745 (W): www.rockwall.com

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#### 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

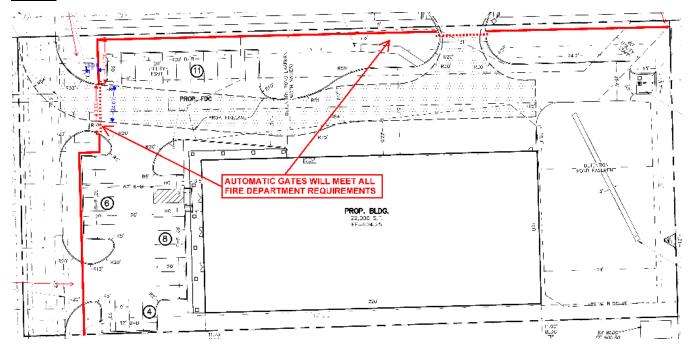
FROM: Angelica Guevara, Planning Technician

**DATE:** March 26, 2024

SUBJECT: MIS2024-004; Exception for a Front Yard Fence for 3301 Springer Lane

The applicant, Kris Sharp, is requesting the approval of an *Exception* for a *Front Yard Fence* in conjunction with an existing non-residential building. The subject property is located on a 1.914-acre parcel of land (*i.e. Lot 5, Block A, Sharp Addition*), and is addressed as 3301 Springer Lane. On February 28, 2024, the Building Inspections Department emailed the owner, contractor, and general contractor to inform them that all front yard fences require approval of a *Exception* from the Planning and Zoning Commission. The applicant was made aware that they would be issued a citation, as well as, be required to pay a non-compliant fee, in addition to the application fee for beginning work prior to obtaining a building permit. Staff should note that the front yard fence has already been completed and installed. The applicant's fence exhibit indicates that the front yard fence was: [1] constructed using wrought-iron, [2] is 72-inches in height, and [3] is more than 50.00% transparent. The applicant has also indicated that the proposed fence will incorporate two (2) automatic slide gates.

FIGURE 1: RED LINE INDICATES LOCATION OF THE FENCE AND GATES



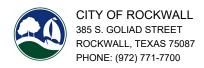
According to Article 13, *Definitions*, of the Unified Development Code (UDC), a fence is defined as "(a)ny *wall* or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure." In addition, Subsection 08.04(D)(2) of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) states that, "(n)o fence shall be constructed in the front yard of a non-residential property without being granted an exception from the Planning and Zoning Commission..." This section goes on to lay out the criteria to be considered by the Planning and Zoning Commission when reviewing non-residential fences. This criterion is as follows:

- (a) Location. Properties adjacent to IH-30, John King Boulevard, and SH-205 shall be prohibited from having a front yard fence.
- (b) Wrought Iron or Decorative Metal Fences. Wrought iron or decorative metal fences shall not exceed eight (8) feet in height.

- (c) Vinyl Coated Chain-Link. In the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) District a vinyl coated chain-link fence may be established in the front yard pending that it [1] is situated a minimum of ten (10) feet off of the front property line, and [2] three (3) tiered screening (i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees) is established in front of the proposed front yard fence along the entire length of the front property line.
- (d) Opaque Fences. Opaque fences are prohibited in the front yard of non-residential properties. In this case, the applicant meets all the requirements for an *Exception* for a front yard fence.

Staff should note that the front yard fence requirements were written with the intent of restricting front yard fences that completely or partially enclose or impair visibility of the primary structure, and that the applicant's fence <u>does not</u> appear to be intended to enclose or impair visibility of the primary structure. Based on this, the proposed front yard fence <u>does not</u> appear to have a negative impact on any other adjacent property. With this being said, this request is a discretionary decision for the Planning and Zoning Commission. Should the Planning and Zoning Commission have any questions concerning the applicant's request, staff will be available at the meeting on *March 26*, 2024.

# PROJECT COMMENTS



DATE: 3/22/2024

PROJECT NUMBER: MIS2024-004

PROJECT NAME: Exception for a Front Yard Fence for 3301 Springer Rd

SITE ADDRESS/LOCATIONS: 3301 SPRINGER RD, ROCKWALL, 75032

CASE CAPTION: Discuss and consider a request by Kris Sharp of 5 Sharp Real Estate, LLC for the approval of a Miscellaneous Case for an

Exception for a Front Yard Fence in conjunction with an existing non-residential building on a 1.914-acre parcel of land identified as Lot 5, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for

Commercial (C) District land uses, addressed as 3301 Springer Lane, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Madelyn Price	03/21/2024	Approved w/ Comments
2. Fencing may not cross ease	ment.	et expected vehicle is not within the roadway while opening the gar	
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Craig Foshee	03/21/2024	Needs Review
03/21/2024: CONCERNED WI TO BE OPEN AND NOT ENCE		ER OF THE PROPERTY. GATE LENGTH LOOKS T	O BE LONGER THAN THE AREA ALLOWED FOR IT
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	03/18/2024	Approved w/ Comments
DEPARTMENT GIS	is required from the fire department for the gat  REVIEWER  Lance Singleton	DATE OF REVIEW 03/18/2024	STATUS OF PROJECT Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Chris Cleveland	03/15/2024	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	03/18/2024	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT

03/20/2024: MIS2024-004; Exception for a Front Yard Fence at 3301 Springer Lane

Please address the following comments (M= Mandatory Comments; I = Informational Comments)

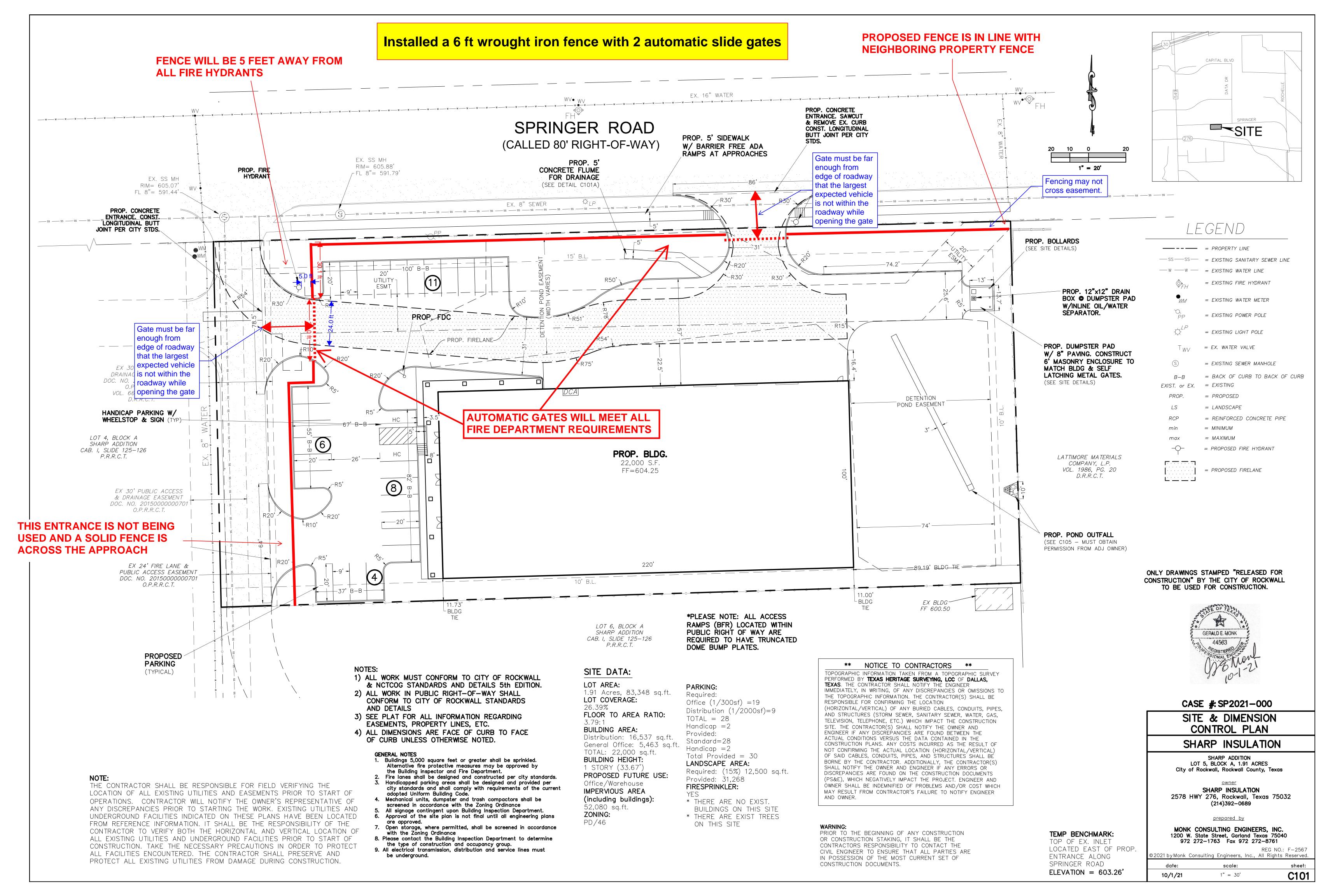
- I.1 This is a request for the approval of a Miscellaneous Case for an Exception for a Front Yard Fence in conjunction with an existing non-residential building on a 1.914-acre parcel of land identified as Lot 5, Block A, Sharp Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 46 (PD-46) for Commercial (C) District land uses, addressed as 3301 Springer Lane.
- I.2 For questions or comments concerning this case please contact Angelica Guevara in the Planning Department at (972) 772-6438 or email aguevara@rockwall.com.
- 1.3 Subsection 08.04 (A), Non-Residential Fences, Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC) states:

Fence Standards for Properties in a Commercial District. Non-required fences in the Neighborhood Services (NS), General Retail (GR), and Commercial (C) Districts, shall be constructed of the materials outlined in Subsection 8.02(B); however, wood and vinyl coated chain-link fences shall be prohibited.

1.4 Subsection 08.04 (D)(2), Non-Residential Fences, Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC) states:

Fences in the Front Yard. No fence shall be constructed in the front yard of a non-residential property without being granted an exception from the Planning and Zoning Commission. 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 (as depicted in Figure 15). The Planning and Zoning Commission may authorize the issuance of an exception for the construction of a front yard fence subject to the following provisions:

- (a) Location. Properties adjacent to IH-30, John King Boulevard, and SH-205 shall be prohibited from having a front yard fence.
- (b) Wrought Iron or Decorative Metal Fences. Wrought iron or decorative metal fences (e.g. as depicted in Figure 15) shall not exceed eight (8) feet in height.
- (c) Vinyl Coated Chain-Link. In the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) District a vinyl coated chain-link fence may be established in the front yard pending that it [1] is situated a minimum of ten (10) feet off of the front property line, and [2] three (3) tiered screening (i.e. small to mid-sized shrubs, large shrubs or accent trees, and canopy trees) is established in front of the proposed front yard fence along the entire length of the front property line.
- (d) Opaque Fences. Opaque fences are prohibited in the front yard of non-residential properties.
- I.5 According to Article 13, Definitions, of the Unified Development Code (UDC), a fence is defined as "(a)ny wall or structure of any material for which the purpose is to provide protection from intrusion, both physical and visual, to prevent escape, mark a boundary, enclose, screen, restrict access to, or decorate any lot, building, or structure."
- 1.6 In this case, the applicant has installed a six (6) foot, wrought-iron fence that is more than 50.00% transparent. In addition, the applicant has also added two (2), automatic slide gates on the subject property.
- I.7 Please note the scheduled meeting for this case:
- 1) Planning & Zoning meeting will be held on March 26, 2024 at 6pm in the council chambers at City Hall at 6:00 PM.
- 1.8 Please note that a representative is required to be present for the meeting to answer any questions the Planning and Zoning Commission may have regarding your request.





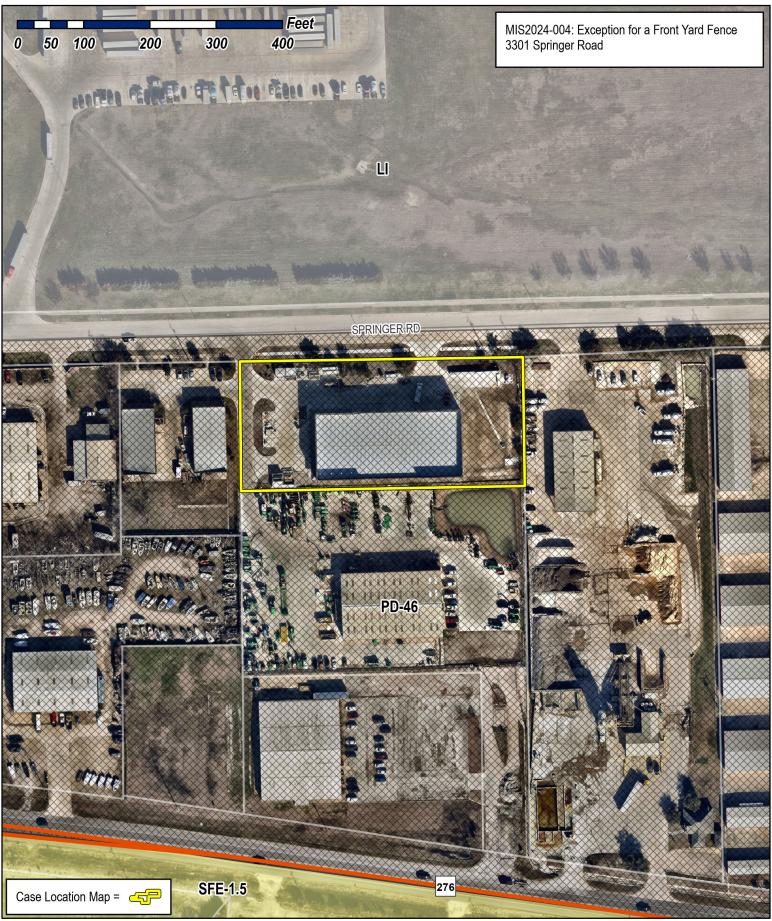
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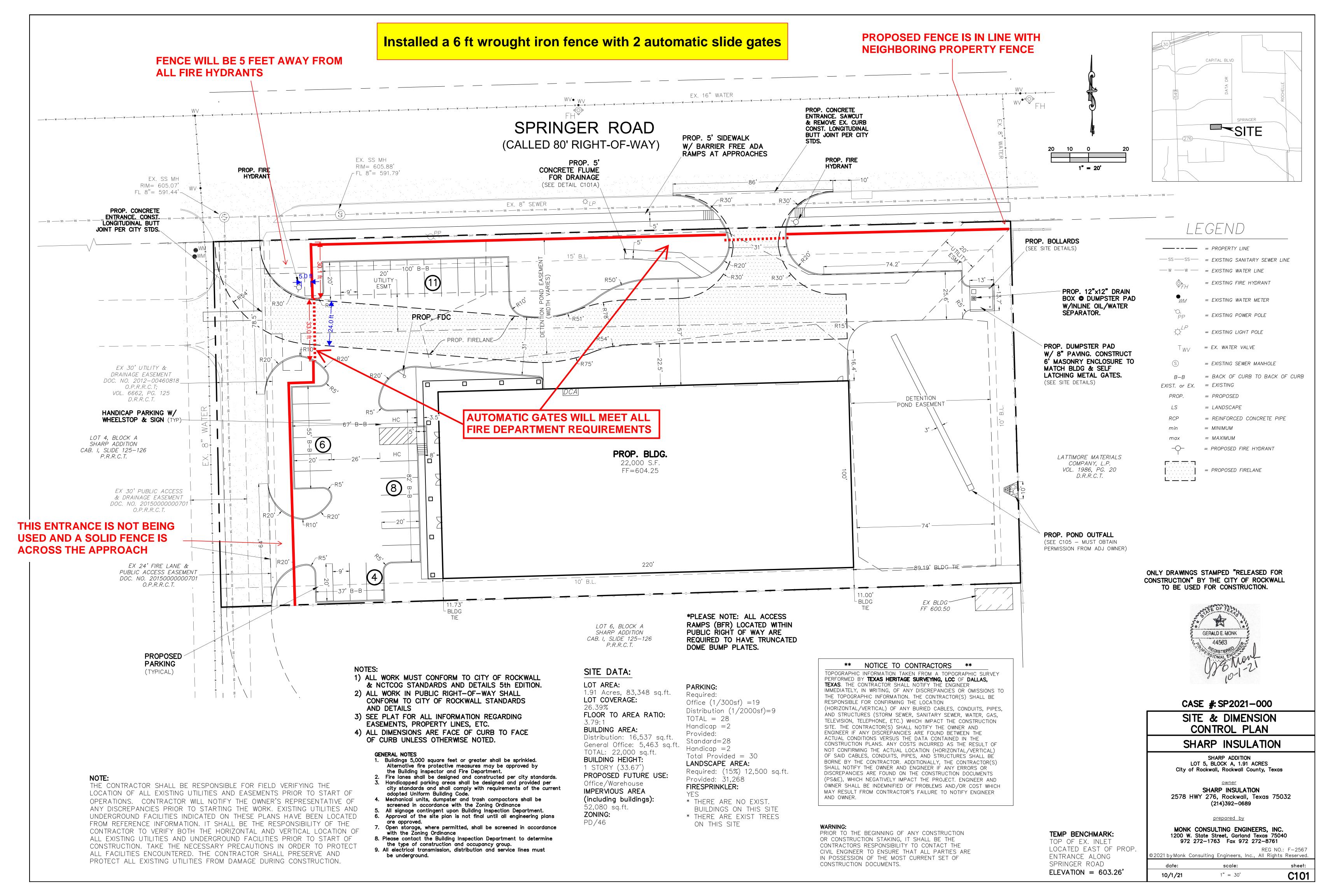


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DATE: March 28, 2024

TO: Kris Sharp

3021 Ridge Road

Suite 160

Rockwall, TX 75032

FROM: Angelica Guevara

City of Rockwall Planning and Zoning Department

385 S. Goliad Street Rockwall, TX 75087

SUBJECT: MIS2024-004; Exception for a Front Yard Fence for 3301 Springer Lane

Mr. Sharp:

This letter serves to notify you that the above referenced case (*i.e. Miscellaneous Case*) that you submitted for consideration by the City of Rockwall was approved by the Planning and Zoning Commission on March 26, 2024. The following is a record of all recommendations, voting records and conditions of approval:

#### Staff Recommendations

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

#### Planning and Zoning Commission

On March 26, 2024, the Planning and Zoning Commission approved a motion to approve the *Exception* by a vote of 5-0, with Commissioners Odom and Conway absent.

Should you have any questions or concerns regarding your case, please feel free to contact me a (972) 772-6438.

Sincerely,

Angelica Guevara, *Planning Technician*City of Rockwall Planning and Zoning Department