



**CASE COVER SHEET**

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

**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**

**PLANNING AND ZONING COMMISSION**

**CITY COUNCIL READING #1**

**CITY COUNCIL READING #2**

**CONDITIONS OF APPROVAL**

**NOTES**



# DEVELOPMENT APPLICATION

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

### STAFF USE ONLY

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CITY ENGINEER: \_\_\_\_\_

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### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 2820 CAVENDISH CT

SUBDIVISION PROMENADE HARBOR LOT 10 BLOCK B

GENERAL LOCATION ROCKWALL

### ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING \_\_\_\_\_ CURRENT USE \_\_\_\_\_

PROPOSED ZONING \_\_\_\_\_ PROPOSED USE \_\_\_\_\_

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CONTACT PERSON \_\_\_\_\_ CONTACT PERSON \_\_\_\_\_

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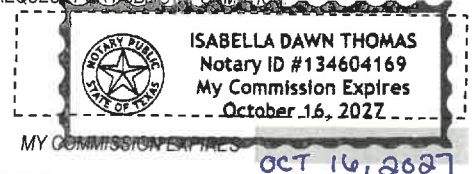
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OWNER'S SIGNATURE Cary B Scott

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Isabella





City of Rockwall,

Re: Notice of Code Violation – Article 8, Landscape and Fence Standards

Case # CE2024-2245

Promenade Harbor, Block B, Lot 10

2820 Cavendish Ct, Rockwall TX 75087

I am requesting a variance to allow the continued use of mesh privacy screening for the following reasons ((#'s) are photo references):

- 1- The location is a popular spot for cars to stop and take pictures. It is near the top of a hill that slopes towards the lake (1). Lake reflects light, adding extra colors to produce spectacular sunsets (2-1 – 2-3). Across the street is a bald eagle's nest (3) next to a beautiful 24-acre, \$5,000,000 cattle/horse ranch (4). People frequently stop directly behind my house during the day (5), to take pictures of the ranch and the nest, at sunset (6), to take pictures of the sunset and the ranch, and at all times of the night to take pictures of the lighted ranch (7). The elevated street allows cars to have a direct view of my family and guests (8), whether swimming in the pool, relaxing in the hot tub, dining at the kitchen table, or watching TV in the living room. I have a large picture window without curtains or blinds which allows us to enjoy the view of the pool and landscaping (9). Prior to adding the privacy screening, the stopped cars, both day and night, made my family and guests very uncomfortable, to the point of feeling unsafe. The road is also a popular spot for people to walk their dogs, adding to the number of peering eyes.
- 2- Prior to purchasing my fence, I observed other's privacy fences and did not like the sloppy installation. The slopes in our area created unevenness, gaps, and were not attractive. Rather than buying a readymade, single piece of material, I special ordered each panel to exactly fit the various sized sections of the fence (10). I used Velcro straps rather than zip ties to create a uniform, sturdy, and visually pleasing form of attachment (11). I own a large lot but only screened the pool area (11).
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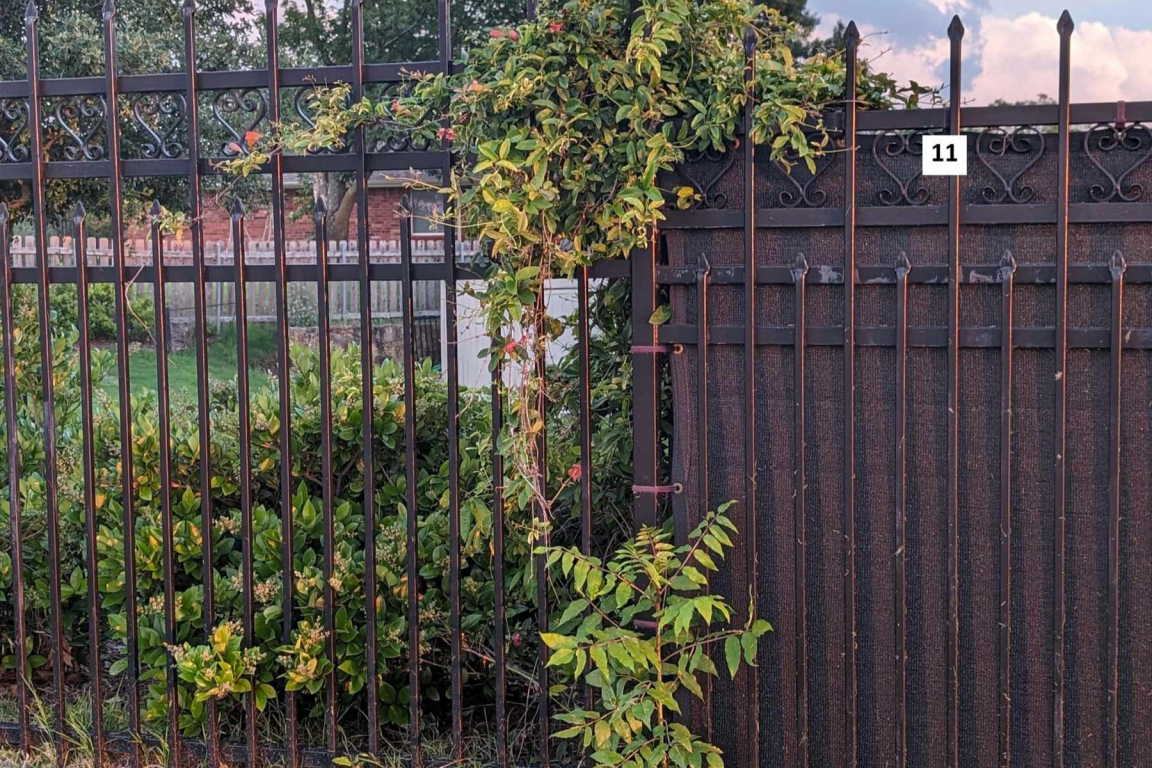












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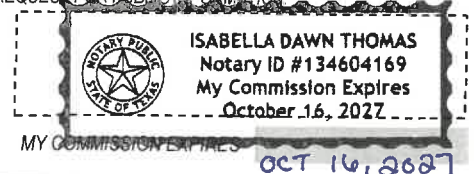
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MIS2024-010: Exception for Tennis Court Mesh

AG

552 DALTON RD

SF-10

AVONLEA

CAVENDISH CT

Case Location Map = 



# City of Rockwall

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385 S. Goliad Street  
Rockwall, Texas 75087  
(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.



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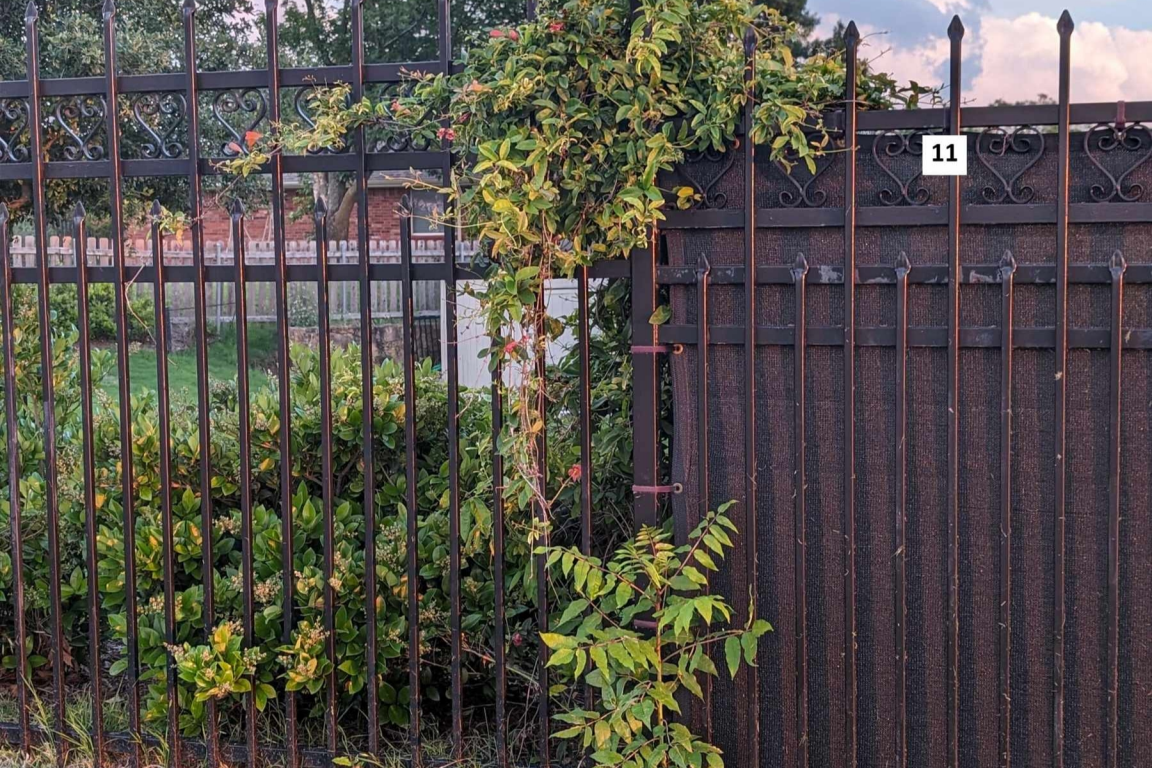
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# CITY OF ROCKWALL

## PLANNING AND ZONING COMMISSION MEMORANDUM

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Planning and Zoning Commission

**FROM:** Bethanny Ross, *Planner*

**DATE:** May 28, 2024

**SUBJECT:** MIS2024-010; *Exception to the Fence Material Standards for 2820 Cavendish Court*

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The applicant, Cary B. Scott, is requesting the approval of an exception to the residential fence material standards in conjunction with an existing single-family property. The subject property is located on a 0.5054-acre parcel of land (*i.e. Lot 10, Block B, Promenade Harbor Addition*) and is addressed as 2820 Cavendish Court. In this case, the applicant is requesting to allow a black tennis court mesh/windscreen that was affixed to an existing wrought iron fence to remain. Staff should note that the mesh was added to the fence without seeking approval from the City of Rockwall, and that this case was referred to the Planning and Zoning Department from the Neighborhood Improvement Services (NIS) Division as part of an enforcement action on the property. Based on the applicant's letter they are requesting to retain the mesh to provide privacy from onlookers as shown in *Figure 1*.



**FIGURE 1:** EXISTING WROUGHT-IRON WITH TENNIS MESH ATTACHED

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 08.02, *General Fence Standards*, Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) states that, “(u)nless otherwise provided for in this section (*i.e. Section 08, Fence Standards*), the following material requirements shall apply to all residential and non-residential fences: ... (1) Permitted fencing materials are limited to wood pickets, vinyl coated chain link, wrought iron, decorative metal (*i.e. with the appearance of wrought iron but is made of powder-coated steel, aluminum or covered with a corrosion protection finish*), brick, stone, split face CMU or burnished block, vinyl, fiberglass composite, and concrete with stone face/form liner ...” Subsection 08.03, *Residential Fences*, Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), states that “(a)ll new transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height..” Based on the UDC requirements outlined above, the black tennis court mesh/windscreen is not a permitted fence material on the subject property, which is zoned Single Family 10 (SF-10) District.

Staff should note that there has been an increase in the use of black tennis court mesh/windscreen and other synthetic materials being affixed to wrought iron fences in subdivisions throughout the City. To address this moving forward and to clarify the requirements of the Unified Development Code (UDC) -- *and as part of Case No. Z2024-017* -- staff is brought forward a revision to the code that specifically calls this out as a prohibited fence material, and this amendment was approved unanimously by City Council at the first reading Monday, May 20, 2024. Regardless of this action, this is not currently a permitted fence/screening material in any of the City's zoning districts, and has only been allowed in conjunction with the tennis courts and athletic fields on the Rockwall Independent School District's facilities. Based on this, staff should point out that the approval of this case would be precedence setting, and believes that the applicant would be able to achieve the desired screening using fencing and landscape materials allowed by the Unified Development Code (UDC). With all of this being said, the approval of an exception 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 May 28, 2024.





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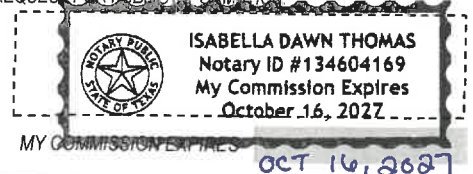
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MIS2024-010: Exception for Tennis Court Mesh

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I am requesting a variance to allow the continued use of mesh privacy screening for the following reasons ((#'s) are photo references):

- 1- The location is a popular spot for cars to stop and take pictures. It is near the top of a hill that slopes towards the lake (1). Lake reflects light, adding extra colors to produce spectacular sunsets (2-1 – 2-3). Across the street is a bald eagle's nest (3) next to a beautiful 24-acre, \$5,000,000 cattle/horse ranch (4). People frequently stop directly behind my house during the day (5), to take pictures of the ranch and the nest, at sunset (6), to take pictures of the sunset and the ranch, and at all times of the night to take pictures of the lighted ranch (7). The elevated street allows cars to have a direct view of my family and guests (8), whether swimming in the pool, relaxing in the hot tub, dining at the kitchen table, or watching TV in the living room. I have a large picture window without curtains or blinds which allows us to enjoy the view of the pool and landscaping (9). Prior to adding the privacy screening, the stopped cars, both day and night, made my family and guests very uncomfortable, to the point of feeling unsafe. The road is also a popular spot for people to walk their dogs, adding to the number of peering eyes.
- 2- Prior to purchasing my fence, I observed other's privacy fences and did not like the sloppy installation. The slopes in our area created unevenness, gaps, and were not attractive. Rather than buying a readymade, single piece of material, I special ordered each panel to exactly fit the various sized sections of the fence (10). I used Velcro straps rather than zip ties to create a uniform, sturdy, and visually pleasing form of attachment (11). I own a large lot but only screened the pool area (11).
- 3- I was told that I could plant shrubbery for privacy. I already have shrubbery (5), but it will take a long time for them to grow enough to block the view. The ranch is directly opposite my house, so the privacy fence does not obscure anyone else's view. It is near the end of a road so it does not diminish the continuity the city seeks and will not be noticed by anyone, except 3 types of people: those who liked it so much that they asked me where to purchase it and how to install it, those who stop to take pictures, and those who travel to obscure areas looking for code violations.

I welcome you all to experience the sunsets there, assuming I can keep my privacy screening. Otherwise, please, please don't come.



2-1







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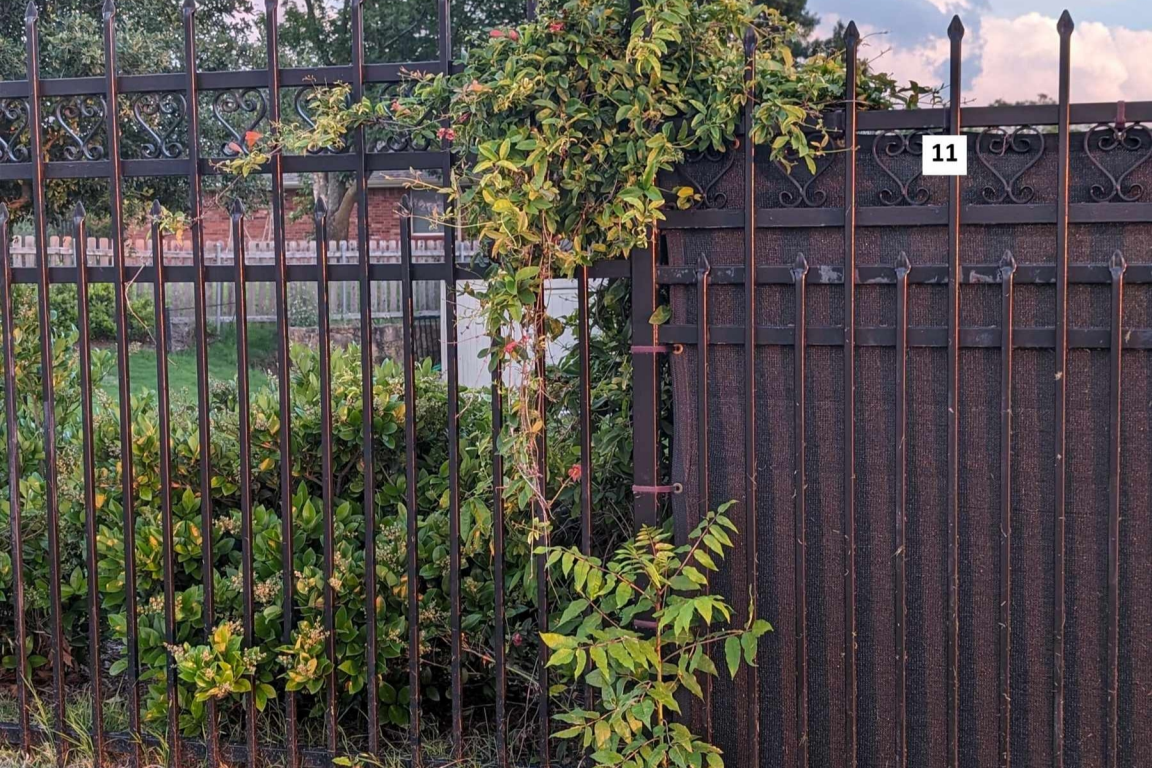
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May 29, 2024

TO: Cary B. Scott  
2820 Cavendish Court  
Rockwall, Texas 75087

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

SUBJECT: MIS2024-010; *Exception to the Fencing and Landscape Requirements*

Cary:

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 denied by the Planning and Zoning Commission on May 28, 2024. The following is a record of all recommendations and voting records:

*Planning and Zoning Commission*

On May 28, 2024, the Planning and Zoning Commission approved a motion to deny the miscellaneous case by a vote of 4-0, with Commissioners Womble and Hustings absent.

Please note that the reason this case was denied is due to the following exception(s) not being approved:

- (1) *Landscape Materials*, according to Subsection 08.03, *Residential Fences*, Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC): "Transparent Fencing. (a) Wrought Iron Fences. All new transparent fencing shall be wrought iron that is a minimum of four (4) feet in height and a maximum of eight (8) feet in height."

According to Subsection 01.05, *Reapplication*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(a) request for site plan, plat, miscellaneous case, Certificate of Appropriateness (COA), small matching grant, or building permit fee waiver which has been previously denied with prejudice by the Historic Preservation Advisory Board (HPAB), Planning and Zoning Commission, or City Council may be resubmitted within one (1) year if there is: [1] an actual change in condition relating to the lot or tract of land -- *or any portion thereof* -- or any surrounding properties, or [2] the new request is more restrictive or less intense than the previous request." Please note that a failure to indicate a denial is with or without prejudice in making a motion to deny a request shall be considered a denial with prejudice. Should you have any questions or concerns regarding the denial, please feel free to contact me a (972) 772-6488.

Sincerely,

Bethany Ross, *Planner*  
City of Rockwall Planning and Zoning Department