



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
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STAFF USE ONLY

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DIRECTOR OF PLANNING: _____

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

<p>PLATTING APPLICATION FEES:</p> <p><input type="checkbox"/> MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹</p> <p><input type="checkbox"/> PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹</p> <p><input type="checkbox"/> FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹</p> <p><input type="checkbox"/> REPLAT (\$300.00 + \$20.00 ACRE) ¹</p> <p><input type="checkbox"/> AMENDING OR MINOR PLAT (\$150.00)</p> <p><input type="checkbox"/> PLAT REINSTATEMENT REQUEST (\$100.00)</p> <p>SITE PLAN APPLICATION FEES:</p> <p><input type="checkbox"/> SITE PLAN (\$250.00 + \$20.00 ACRE) ¹</p> <p><input type="checkbox"/> AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)</p>	<p>ZONING APPLICATION FEES:</p> <p><input type="checkbox"/> ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹</p> <p><input type="checkbox"/> SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1&2}</p> <p><input type="checkbox"/> PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹</p> <p>OTHER APPLICATION FEES:</p> <p><input type="checkbox"/> TREE REMOVAL (\$75.00)</p> <p><input type="checkbox"/> VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²</p> <p>NOTES:</p> <p>¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.</p> <p>²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.</p>
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PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 670 N. Stodghill Rd Rockwall Texas 75089

SUBDIVISION _____ LOT _____ BLOCK _____

GENERAL LOCATION East Ridge church of Christ - front of building

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING _____ CURRENT USE _____

PROPOSED ZONING _____ PROPOSED USE _____

ACREAGE _____ LOTS [CURRENT] _____ LOTS [PROPOSED] _____

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

<input type="checkbox"/> OWNER	<input checked="" type="checkbox"/> APPLICANT
CONTACT PERSON <u>Danny Mayberry</u>	CONTACT PERSON <u>Danny Mayberry</u>
ADDRESS _____	ADDRESS <u>670 N. Stodghill Rd</u>
CITY, STATE & ZIP _____	CITY, STATE & ZIP <u>Rockwall Texas</u>
PHONE _____	PHONE <u>(972) 679-5388</u>
E-MAIL _____	E-MAIL <u>danny@eastridge, cc</u>

NOTARY VERIFICATION [REQUIRED]

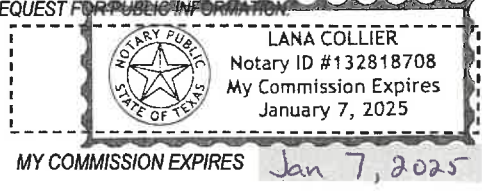
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OWNER'S SIGNATURE Danny Mayberry

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Lana Collier



Application Letter

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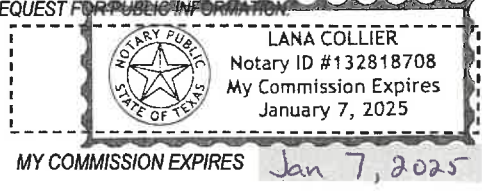
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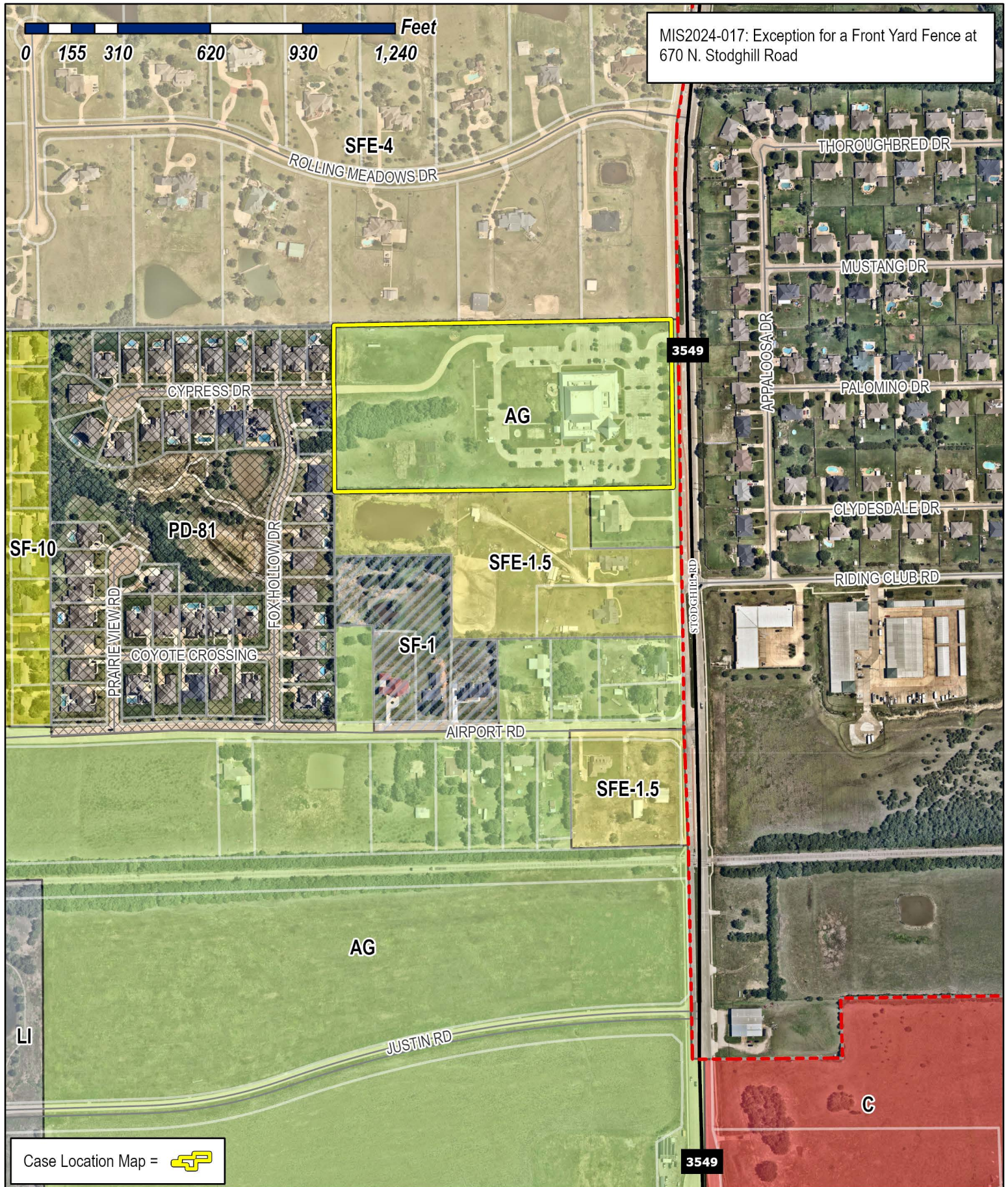
OWNER'S SIGNATURE Danny Mayberry

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MIS2024-017: Exception for a Front Yard Fence at 670 N. Stodghill Road



Case Location Map =



City of Rockwall

Planning & Zoning Department
 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.



Application Letter

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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: Bethany Ross, *Planner*

DATE: August 27, 2024

SUBJECT: MIS2024-017; *Exception for a Front Yard Fence for 670 N. Stodghill Road*

The applicant, Danny Mayberry, is requesting the approval of an exception for a front yard fence. The subject property is located on a 15.159-acre parcel of land (*i.e. Lot 1, Block A, Rockwall Lakeside Church of Christ Addition*) addressed as 670 N. Stodghill Road. The applicant has indicated that the purpose of the proposed front yard fence is to secure a play area for kids that are three (3) years old or younger. In addition, the proposed fence will be: [1] constructed using wrought-iron, [2] be 48-inches in height, and [3] be 50.00% transparent.

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 exceptions for front yard fences. This criterion is as follows: (a) the fence is to be 50.00% transparent, (b) the fence does not exceed eight (8) feet (*or 96-inches*) in height, and (c) opaque fences should be prohibited. In this case, the fence meets all of the requirements for a front yard fence. With this being said, this request will require an exception for a front yard fence from the Planning and Zoning Commission.



*FIGURE 1: PROPOSED FRONT YARD FENCE LOCATION
(RED LINE IS THE FENCE LOCATION)*

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 does not appear to be intended to enclose or impair visibility of the primary structure. Based on this the proposed front yard fence does not appear to have a negative impact on any other adjacent residential properties; however, front yard fences are discretionary decisions 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 August 27, 2024.

PROJECT COMMENTS



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

DATE: 8/23/2024

PROJECT NUMBER: MIS2024-017
PROJECT NAME: Exception to a Front Yard Fence at 670 N. Stodghill Road
SITE ADDRESS/LOCATIONS:

CASE CAPTION: Discuss and consider a request by Danny Mayberry on behalf of Eastridge Church of Christ for the approval of a Miscellaneous Case for an Exception for a Front Yard Fence on a 15.159-acre parcel of land identified as Lot 1, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 670 N. Stodghill Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Madelyn Price	08/22/2024	Approved w/ Comments

08/22/2024: 1. Show on permit plans all existing easements to ensure fence is not located within the easement.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Craig Foshee	08/23/2024	Approved w/ Comments

08/23/2024: Fence permit through the Building Inspection Department will be required.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	08/19/2024	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	08/19/2024	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Chris Cleveland	08/16/2024	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	08/19/2024	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	Bethany Ross	08/16/2024	Approved w/ Comments

08/20/2024: MIS2024-017; Exception for a Front Yard Fence at 670 N. Stodghill Road

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

I.1 This is a request approval of a Miscellaneous Case for an Exception for a Front Yard Fence on a 15.159-acre parcel of land identified as Lot 1, Block A, Rockwall Lakeside Church of Christ Addition, City of Rockwall, Rockwall County, Texas, zoned Agricultural (AG) District, situated within the FM-549 Overlay (FM-549 OV) District, addressed as 670 N. Stodghill Road.

I.2 For questions or comments concerning this case please contact Bethany Ross in the Planning Department at (972) 772-6488 or email bross@rockwall.com.

I.3 Subsection 08.04(D)(2), Front Yard Fences, of Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC) states:

Front Yard Fences. 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.

In considering a front yard fence, the Planning and Zoning Commission may require applicants to provide additional information, plans, drawings, and/or other information concerning the proposed front yard fence. In addition, the Planning and Zoning Commission may establish additional conditions of construction for any fence.

I.4 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.”

I.5 In this case, the applicant is proposing a 48-inch, wrought-iron front-yard fence on the subject property. This appears to be in conformance with the criteria for front yard fences.

I.6 Please note the scheduled meeting for this case:

1) Planning & Zoning meeting will be held on August 27, 2024 at 6pm in the council chambers at City Hall.

I.7 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.



DEVELOPMENT APPLICATION

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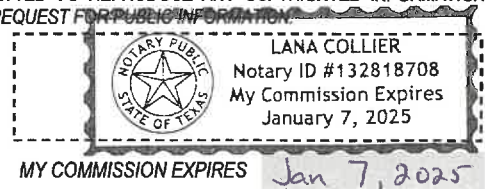
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ACREAGE _____ LOTS [CURRENT] _____ LOTS [PROPOSED] _____

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

<input type="checkbox"/> OWNER	<input checked="" type="checkbox"/> APPLICANT
CONTACT PERSON <u>Danny Mayberry</u>	CONTACT PERSON <u>Danny Mayberry</u>
ADDRESS _____	ADDRESS <u>670 N. Stodghill Rd</u>
CITY, STATE & ZIP _____	CITY, STATE & ZIP <u>Rockwall Texas</u>
PHONE _____	PHONE <u>(972) 679-5388</u>
E-MAIL _____	E-MAIL <u>danny@eastridge, cc</u>

NOTARY VERIFICATION [REQUIRED]

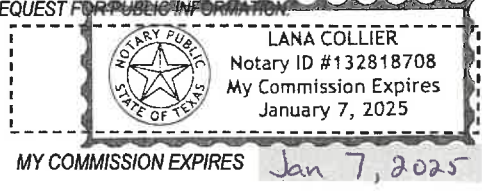
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Danny Mayberry [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

"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 \$ 100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16 DAY OF August, 2024 BY SIGNING THIS APPLICATION, I AGREE THAT THE CITY OF ROCKWALL (I.E. "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 16 DAY OF August, 2024.

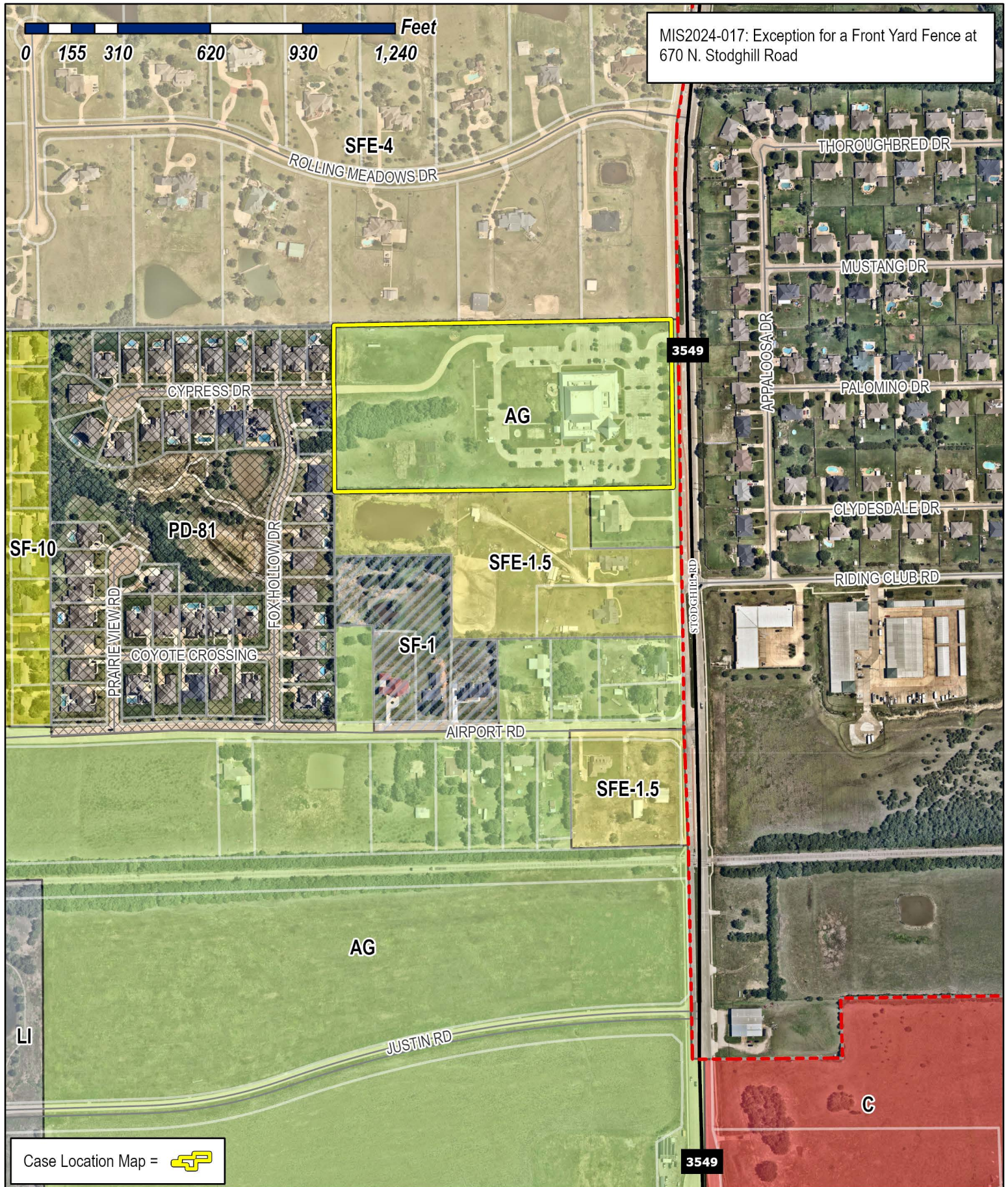
OWNER'S SIGNATURE Danny Mayberry

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Lana Collier





MIS2024-017: Exception for a Front Yard Fence at 670 N. Stodghill Road



Case Location Map =



City of Rockwall

Planning & Zoning Department
 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.



Application Letter

As the churches preschool grows we are wanting to add a fence in the front of our building so the kids will have a more secure and state approved play area for the 3year olds and younger.













DATE: August 28, 2024

TO: Danny Mayberry
670 N. Stodghill Road
Rockwall, Texas 75087

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

SUBJECT: MIS2024-017; *Exception for a Front Yard Fence for 670 N Stodghill*

Danny:

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 August 27, 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 Miscellaneous Case 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 August 27, 2024, the Planning and Zoning Commission approved a motion to approve the *Exception* by a vote of 7-0.

Should you have any questions or concerns regarding your case, please feel free to contact me a (972) 772-6488.

Sincerely,

A handwritten signature in black ink that reads "Bethany Ross".

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