



**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**

PLANNING & ZONING CASE NO. \_\_\_\_\_

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DIRECTOR OF PLANNING: \_\_\_\_\_

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

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

**PLATTING APPLICATION FEES:**

- MASTER PLAT (\$500.00 + \$20.00 ACRE)<sup>1</sup>
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- REPLAT (\$500.00 + \$20.00 ACRE)<sup>1&3</sup>
- AMENDING OR MINOR PLAT (\$500.00)
- PLAT REINSTATEMENT REQUEST (\$200.00)

**SITE PLAN APPLICATION FEES:**

- SITE PLAN (\$1,000.00 + \$20.00 ACRE)<sup>1&2</sup>
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$500.00)<sup>2</sup>

**OTHER APPLICATION FEES:**

- TREE REMOVAL (\$200.00)
- VARIANCE REQUEST/SPECIAL EXCEPTIONS [RESIDENTIAL] (\$200.00)<sup>2</sup>
- VARIANCE REQUEST/SPECIAL EXCEPTIONS [COMMERCIAL] (\$1,000.00)<sup>2</sup>

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- PLANNED DEVELOPMENT DISTRICT (\$1,500.00 + \$20.00 ACRE)<sup>1&3</sup>
- PD DEVELOPMENT PLANS (\$1,500.00 + \$20.00 ACRE)<sup>1&3</sup>

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<sup>3</sup>: AN ADDITIONAL FEE OF **\$150.00** WILL BE REQUIRED FOR THE COST OF NOTIFICATIONS.

**PROPERTY INFORMATION [PLEASE PRINT]**

ADDRESS 403-B Rockwall TX 75087

SUBDIVISION \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_

GENERAL LOCATION \_\_\_\_\_

**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]**

OWNER JMS Custom Homes LLC  APPLICANT Javier Silva

CONTACT PERSON Javier Silva CONTACT PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_ ADDRESS \_\_\_\_\_

CITY, STATE & ZIP \_\_\_\_\_ STATE & ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ PHONE \_\_\_\_\_

E-MAIL \_\_\_\_\_ E-MAIL \_\_\_\_\_

**NOTARY VERIFICATION [REQUIRED]**

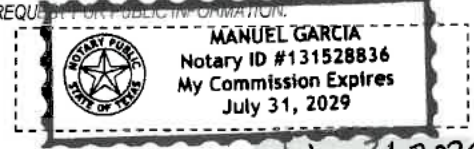
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Javier Silva [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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 \$ 200.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14 DAY OF May, 2026 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 14 DAY OF May, 2026

OWNER'S SIGNATURE [Signature]

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



MY COMMISSION EXPIRES July 31, 2029









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CONTACT PERSON Javier Silva CONTACT PERSON \_\_\_\_\_

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PHONE \_\_\_\_\_ PHONE \_\_\_\_\_

E-MAIL \_\_\_\_\_ E-MAIL \_\_\_\_\_

### NOTARY VERIFICATION [REQUIRED]

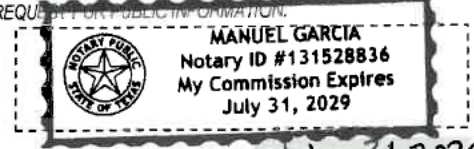
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MY COMMISSION EXPIRES July 31, 2029



MIS2026-010: Exception to the Fence Standards at 403B S. Clark Street

0 35 70 140 210 280 Feet

MUNSON ST

S CLARK ST


SF-7

STORRS ST

2F

C

2F

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.











# 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*

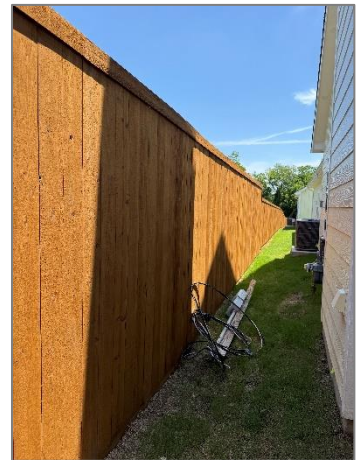
**DATE:** May 26, 2026

**SUBJECT:** MIS2026-010; *Exception to the Fence Standards at 403B S. Clark Street*

The subject property is a 0.42-acre parcel of land (*i.e. Lot 1, Block 1, Shaw Addition*) that is situated within the Shaw Subdivision, and is zoned Single-Family 7 (SF-7) District. The subject property -- *along with the rest of the Shaw Addition* -- was established by the *Final Plat* on July 7, 2012. According to Rockwall County Appraisal District (RCAD), the subject property has a 3,137 SF *single family home* and a 650 SF *guest quarters/secondary living unit* situated on it. Both of these structures were constructed in 2025. On March 3, 2026, the Building Inspections Department issued a *Building Permit [i.e. RES2026-797]* for the construction of a fence on the subject property. Upon further review, it was determined that the fence had been constructed incorrectly, as the metal posts -- *required to face the private side of the property* -- were installed facing outward as shown in *Figure 1*. As a result, the applicant submitted a request for an *Exception to the Fence Standards*.



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 08.03, *Residential Fences*, Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) states that, “(a)ll solid fencing shall be constructed utilizing standard cedar fencing materials (*spruce fencing is prohibited*) that are a minimum of ½-inch or greater in thickness. Fences shall be board-on-board panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (*i.e. facing streets, alleys, open space, parks, and/or neighboring properties*). All posts and/or framing shall be placed on the private side (*i.e. facing towards the home*) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.” In this case, the applicant constructed a seven (7) foot cedar fence with metal posts wrapped in cedar. The fence has already been fully installed with the metal posts oriented outward rather than toward the private side of the property, as required by the Unified Development Code (UDC). Staff should note that the posts will have limited visibility from the street, have been wrapped in cedar, and the fence’s orientation does *not* appear to adversely impact the surrounding properties; however, 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 26, 2026.



**FIGURES 1 & 2:** EXISTING FENCE SHOWING THE PLACEMENT OF THE METAL POLES THAT ARE WRAPPED IN CEDAR

Should the Planning and Zoning Commission have any questions concerning the applicant’s request, staff will be available at the meeting on May 26, 2026.

# PROJECT COMMENTS



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

DATE: 5/21/2026

PROJECT NUMBER: MIS2026-010  
PROJECT NAME: Exception for a Fence at 403B S Clark Street  
SITE ADDRESS/LOCATIONS: 403B S. Clark Street

CASE CAPTION: Discuss and consider a request by Javier Silva of JMS Custom Homes, LLC for the approval of a Miscellaneous Case for an Exception to the Fence Standards on a 0.42-acre parcel of land identified as Lot 1, Block 1, Shaw Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 403-B S. Clark Street, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Madelyn Price	05/21/2026	Approved
05/21/2026: No fences in easements.			
BUILDING	Craig Foshee	05/21/2026	Approved
05/21/2026: Wood Fence is required to be outside the utility easements Wood Fence is is required to have the smooth side out			
FIRE	Ariana Kistner	05/19/2026	Approved
No Comments			
GIS	Lance Singleton	05/18/2026	Approved
No Comments			
POLICE	Chris Cleveland	05/18/2026	Approved
No Comments			
PARKS	Travis Sales	05/18/2026	Approved
No Comments			
PLANNING	Angelica Guevara	05/19/2026	Approved w/ Comments
05/19/2026: MIS2026-010; Exception to the Fence Standards at 403B S. Clark Street			

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 to the Fence Standards on a 0.42-acre parcel of land identified as Lot 1, Block 1, Shaw Addition, City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 403-B S. Clark Street.

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](mailto:aguevara@rockwall.com).

I.3 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.4 According to Subsection 08.03, Residential Fences, Article 08, Landscape and Fence Standards, of the Unified Development Code (UDC) states that, “(a)ll solid fencing shall be constructed utilizing standard cedar fencing materials (spruce fencing is prohibited) that are a minimum of ½-inch or greater in thickness. Fences shall be board-on-board panel fence that is constructed a minimum of six (6) feet in height and a maximum of eight (8) feet in height. Posts, fasteners, and bolts shall be formed from hot dipped galvanized or stainless steel. All cedar pickets shall be placed on the public side (i.e. facing streets, alleys, open space, parks, and/or neighboring properties). All posts and/or framing shall be placed on the private side (i.e. facing towards the home) of the fence. All wood fences shall be smooth finished, free of burs and splinters, and be stained and sealed on both sides of the fence. Painting a fence with oil or latex based paint shall be prohibited. All solid fences shall incorporate a decorative top rail and/or cap detailing the design of the fence.”

I.5 In this case, the applicant has constructed a seven (7) foot, cedar fence with metal posts. However, the metal posts are facing the public side as opposed to the private side. This deviation will require an exception to the fence standards of the UDC from the Planning and Zoning Commission.

I.6 All meetings will be held in the Rockwall City Council Chambers at 385 S. Goliad Street at 6:00 PM. The meeting schedule for this case is as follows:

Planning and Zoning Meeting: May 26, 2026

I.7 Please note that a representative is required to be present for the meeting to answer any questions the Planning and Zoning Commission and/or City Council may have regarding your request.



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No Comment about facade, fences not allowed within easements. Site plan not provided so unsure exactly where this is located. - MP  
No fences in easements - AW

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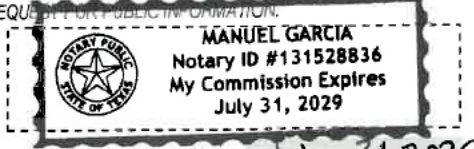
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- VARIANCE REQUEST/SPECIAL EXCEPTIONS [COMMERCIAL] (\$1,000.00)<sup>2</sup>

#### ZONING APPLICATION FEES:

- ZONING CHANGE (\$1,000.00 + \$20.00 ACRE)<sup>1&3</sup>
- SPECIFIC USE PERMIT [RESIDENTIAL] (\$200.00 + \$20.00 ACRE)<sup>1,2&3</sup>
- SPECIFIC USE PERMIT [COMMERCIAL] (\$1,000.00 + \$20.00 ACRE)<sup>1,2&3</sup>
- PLANNED DEVELOPMENT DISTRICT (\$1,500.00 + \$20.00 ACRE)<sup>1&3</sup>
- PD DEVELOPMENT PLANS (\$1,500.00 + \$20.00 ACRE)<sup>1&3</sup>

#### NOTES:

<sup>1</sup>: 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.

<sup>2</sup>: A **\$2,500.00** FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

<sup>3</sup>: AN ADDITIONAL FEE OF **\$150.00** WILL BE REQUIRED FOR THE COST OF NOTIFICATIONS.

### PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 403-B Rockwall TX 75087

SUBDIVISION \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_

GENERAL LOCATION \_\_\_\_\_

### 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 HB3167 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 JMS Custom Homes LLC  APPLICANT Javier Silva

CONTACT PERSON Javier Silva CONTACT PERSON \_\_\_\_\_

ADDRESS \_\_\_\_\_ ADDRESS \_\_\_\_\_

CITY, STATE & ZIP \_\_\_\_\_ STATE & ZIP \_\_\_\_\_

PHONE \_\_\_\_\_ PHONE \_\_\_\_\_

E-MAIL \_\_\_\_\_ E-MAIL \_\_\_\_\_

### NOTARY VERIFICATION [REQUIRED]

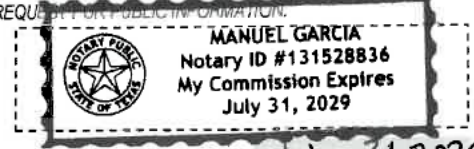
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Javier Silva [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:

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 \$ 200.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 14 DAY OF May, 2026 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 14 DAY OF May, 2026

OWNER'S SIGNATURE [Signature]

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



MY COMMISSION EXPIRES July 31, 2029



MIS2026-010: Exception to the Fence Standards at 403B S. Clark Street

0 35 70 140 210 280 Feet

MUNSON ST

S CLARK ST


SF-7

STORRS ST

2F

C

2F

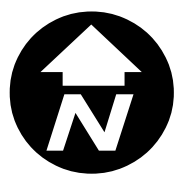
Case Location Map = 



# 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.











DATE: May 27, 2026

TO: Javier Silva  
JMS Custom Homes  
58 Windsor Drive  
Rockwall, TX 75032

FROM: Angelica Guevara, *Planning Technician*  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, TX 75087

SUBJECT: MIS2026-010; *Exception to the Fence Standards at 403B S. Clark Street*

Mr. Silva:

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 May 26, 2026. 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 May 26, 2026, the Planning and Zoning Commission approved a motion to approve the Miscellaneous Case by a vote of 5-0, with Commissioner Roth absent and one (1) vacant seat.

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

Sincerely,

A handwritten signature in blue ink, appearing to read 'AG', is placed above the typed name.

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