



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. M152021-010

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]:

PLATTING APPLICATION FEES:

- MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
- PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) ¹
- FINAL PLAT (\$300.00 + \$20.00 ACRE) ¹
- REPLAT (\$300.00 + \$20.00 ACRE) ¹
- AMENDING OR MINOR PLAT (\$150.00)
- PLAT REINSTATEMENT REQUEST (\$100.00)

SITE PLAN APPLICATION FEES:

- SITE PLAN (\$250.00 + \$20.00 ACRE) ¹
- AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

ZONING APPLICATION FEES:

- ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ¹
- PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- TREE REMOVAL (\$75.00)
- VARIANCE REQUEST (\$100.00)

NOTES:

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.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 54 Shady Dale, Rockwall, Texas 75032

SUBDIVISION Best Estate

LOT BLOCK

GENERAL LOCATION 2.6 acres located at the corner of Shady Dale and Ridge Road

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING James Best CURRENT USE Same

PROPOSED ZONING Fence variance PROPOSED USE Same

ACREAGE 2.6 acres LOTS [CURRENT] 1 LOTS [PROPOSED] 1

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 James Best APPLICANT Andrew D. Thomas

CONTACT PERSON Andrew D. Thomas CONTACT PERSON Andrew D. Thomas

ADDRESS ADDRESS 422 E I-30, Suite F

CITY, STATE & ZIP CITY, STATE & ZIP Royse City, Texas 75189

PHONE PHONE (469) 965-4500

E-MAIL E-MAIL andrew@law-adt.com

NOTARY VERIFICATION [REQUIRED]

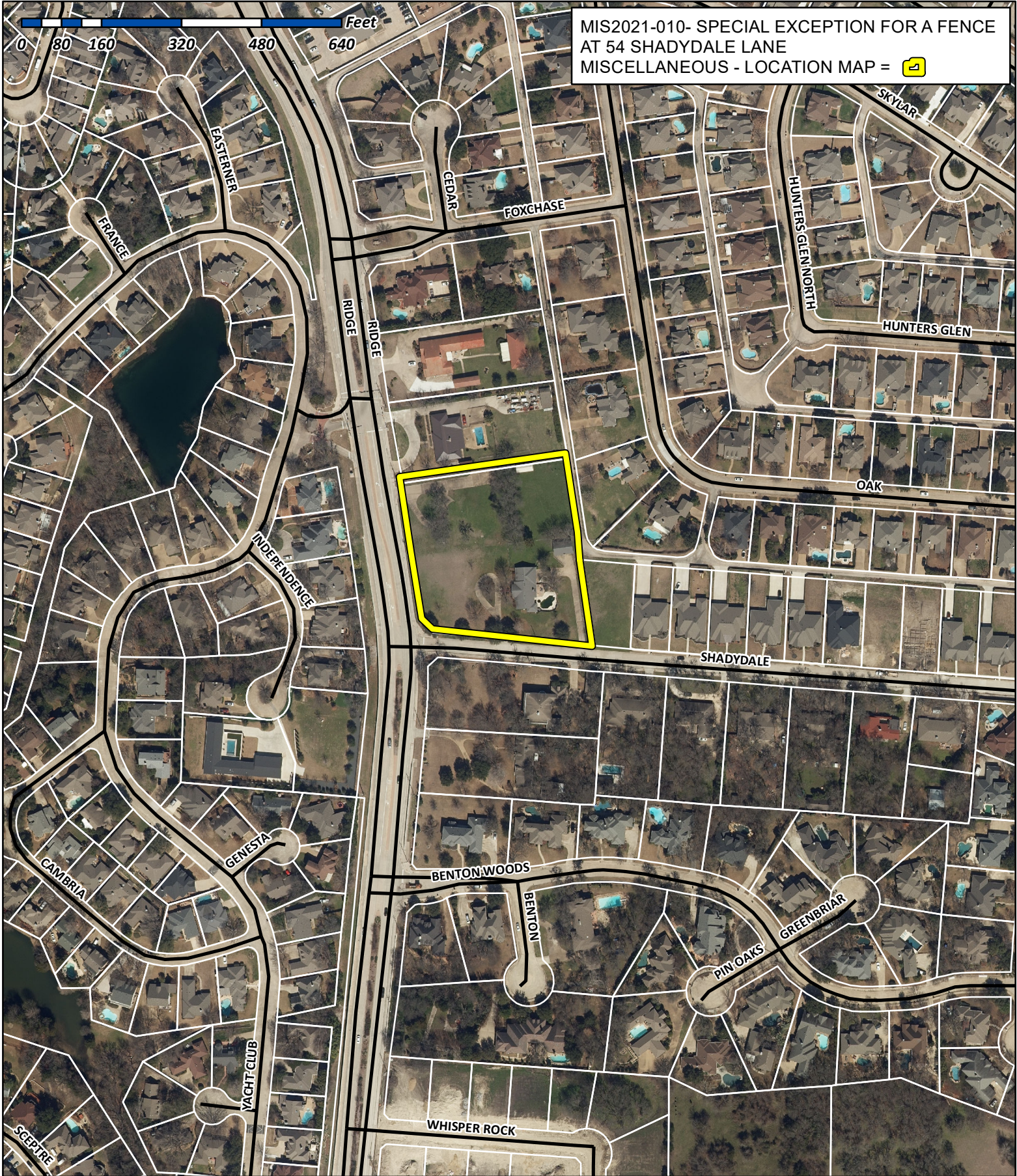
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED Andrew Thomas [OWNER] THE UNDERSIGNED, WHO STATED THE INFORMATION ON THIS APPLICATION TO BE TRUE AND CERTIFIED THE FOLLOWING:


"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 20 DAY OF August, 20 21. 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 18 DAY OF August, 20 21.

OWNER'S SIGNATURE [Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS Barbara Jackson





MIS2021-010- SPECIAL EXCEPTION FOR A FENCE
 AT 54 SHADYDALE LANE
 MISCELLANEOUS - LOCATION MAP = 

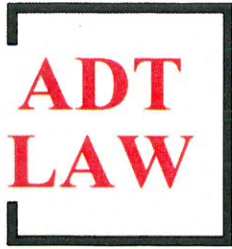


City of Rockwall

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

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ANDREW D. THOMAS
F. DUNCAN THOMAS

LAW OFFICE OF ANDREW D. THOMAS
422 E I-30, SUITE F
ROYSE CITY, TEXAS 75189

T: (469) 965-4500
F: (469) 965-4550
ANDREW@LAW-ADT.COM

TO: City of Rockwall Planning & Zoning Department
FROM: James Best c/o Andrew D. Thomas
RE: Variance Request: Fencing at 54 Shady Dale, Rockwall, Texas 75087
DATE: August 18, 2021

Variance Request

The homeowners, James and Kimberly Best, request the Planning & Zoning Commission (**P&Z Board**) grant a variance to City of Rockwall Unified Development Code § 08.08.03(D) allowing the homeowners to:

- Continue an 8-foot cedar fence¹ approximately 90 feet past the front building façade on the north side of the property;
- Construct a 6-foot aluminum wrought iron styled fence from the end of the 8-foot cedar fence to the front set-back line of the property, across the front of the property to the Shady Dale set back line, down Shady Dale to a column on the west side of the driveway;
- Construct two 7-foot cast stone and stucco columns on either side of the driveway with a 6-foot-tall automatic steel gate between the columns;
- Construct a 6-foot aluminum wrought iron styled fence from the east driveway column to the front building façade; and
- Construct an 8-foot cedar fence from the front building façade along Shady Dale to the existing 8-foot cast-concrete fence.

A plat of the property identifying the requested variances is attached as **Exhibit A** and the requests are discussed in more detail below.

¹ On April 22, 2021, the City of Rockwall issued permit RES2021-1285 approving the construction of an 8-foot cedar fence from the Northeast corner of the property to the front corner of the house. *See* Exhibit B.

Brief Statement

The homeowners are senior citizens that travel 12-15 weeks a year. Due to their age and travel schedule, they desire a fully fenced and gated property to protect them and their property when they are away, and to secure the swimming pool being constructed on the property.

The property is a 2.6-acre tract located at the intersection of Ridge Road and Shady Dale Lane. The property is zoned single family 16 and subject to the General Residential District Standards and Residential District Development Standards. See §§ 05.03.06, 05.03.01, and 05.07.01. The property setbacks are: (1) 25-feet along Ridge and Shady Dale Roads, (2) 10-feet in the rear, and (3) 8-feet to the north. See § 05.07.01.

Building Code Requirements

The applicable fencing requirements are:

.08.08.03(D)(1)(a) – Side Yard Fences. Side yard fences shall not extend beyond the front façade of a single-family structure. In cases where a structure has a front porch or other encroachment, the fence shall not extend beyond where the front porch or encroachment meets the front façade of the single-family structure (as depicted in Figure 18).

.08.08.03(D)(1)(d) – Corner Lots. Corner lots shall be permitted to construct a fence along the side yard property line adjacent to a street (as depicted in Figure 14); however, in cases where a house is facing in the same direction as the side yard of a corner lot, the side yard fence adjacent to the street shall not extend beyond the front yard building setback (as depicted in Figure 16).

.08.08.03(D)(2) – Fences in the Front Yard. No 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 (as depicted in Figure 14). 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) Wood Fences. Wood fences that are 50% transparent (e.g. as depicted in Figure 14) shall not exceed 42-inches in height.
- (b) Wrought Iron or Decorative Metal Fences. Wrought iron or decorative metal fences that are 50% transparent (e.g. as depicted in Figure 14) shall not exceed 48-inches in height.

- (c) *Opaque Fences*. Opaque fences are prohibited in the front yard of 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.

Discussion

1. 8-foot cedar fence – north side.

The homeowners have been approved for an 8-foot cedar fence from the northeast corner to the front building façade of the home being constructed. *See Exhibit B*. The property to the north has a chain link fence running from its southwestern corner west to a point perpendicular to its front building façade. Because the neighboring property is constructed closer to Ridge Road, the chain link fence continues for approximately 90 feet in front of the subject property's front building façade and the neighbor's utility shed sits adjacent to the chain link fence and in front of the front building façade of the subject property. *See Exhibit C*.





The homeowners want to extend the 8-foot cedar fence from their front building façade approximately ninety feet to the end of the chain link fence. Pictures demonstrating the style of the proposed 8-foot cedar fence are attached as **Exhibit D**. Extending the cedar fence along the chain link fence will not impede the visibility of drivers along Ridge Road or neighboring property owners because the neighboring property is already heavily landscaped with trees and hedges along the fence line preventing visibility through chain link fence. Extending the fence will only affect the subject property and the neighboring property to the north providing additional privacy to both homeowners.

2. 6-foot aluminum wrought iron styled-fence.

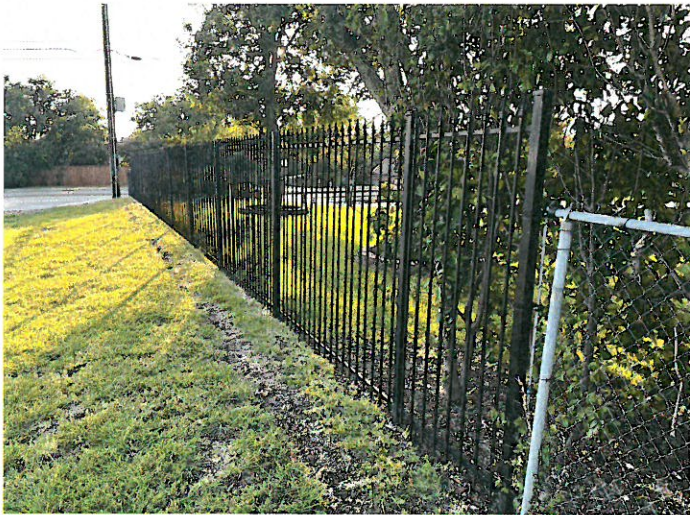
The homeowners want to construct a 6-foot aluminum wrought iron styled fence from the end of the proposed 8-foot cedar fence to the front set back line, across the property to the Shady Dale set back line, and then to a point along Shady Dale perpendicular to the front building façade. *See Exhibit C*. Because of the homeowners' age and travel schedule, they desire a fully fenced and gated property for their protection and security. Having an entirely fenced and gated property would also provide additional security for the lap pool being constructed on the property. *See Rockwall Code of Ordinances § 10-425*.

A picture demonstrating the style of the proposed 6-foot aluminum wrought iron styled fence is attached as **Exhibit E** and a schematic identifying the dimensions of the proposed fence is attached as **Exhibit F**. The fence will be constructed using 6-foot spires and have a 2-inch gap underneath the bottom of the fence for drainage.

Construction of a 6-foot aluminum wrought iron styled fence on the front and side of the property is consistent with several fences on nearby properties along Ridge Road. The property directly to

the north has a 6-foot wrought iron fence separating it from the subject property and 4-foot fences that appear to be within the setback line.

3187 S. Ridge Road



Across the street, Chandler’s Landing has a 6-foot wrought iron fence facing ridge road.

Chandler’s Landing



Across the street and to the north of the subject property, several properties have solid, 8-foot wooden fences (at the back of the properties) that face Ridge Road.

5303 Yacht Club Drive



2705 Cedar Court



2701 Cedar Court



Due to the heavy traffic on Ridge Road and the speed to which it travels, front yard fences are very common in and around the subject property.

3187 S. Ridge Road



1 Shadydale Lane



3201 Ridge Road



3. 7-foot cast stone and stucco columns with 6-foot steel automatic gate.

The homeowners want to build two 7-foot stone and stucco columns on either side of the driveway to support and house a 6-foot steel automatic gate. A diagram of the proposed columns and gate is attached as **Exhibit G**. The columns would be constructed to match the architecture of the house. The automatic steel gate would provide safety and security to the homeowners.

The proposed columns are consistent in size and material to columns located on nearby properties. With regard to the steel gate, the neighboring property to the north has a wrought iron automatic gate, and across the street Chandler’s Landing has two 6-foot automatic gates.

Benton Woods



Chandler’s Landing

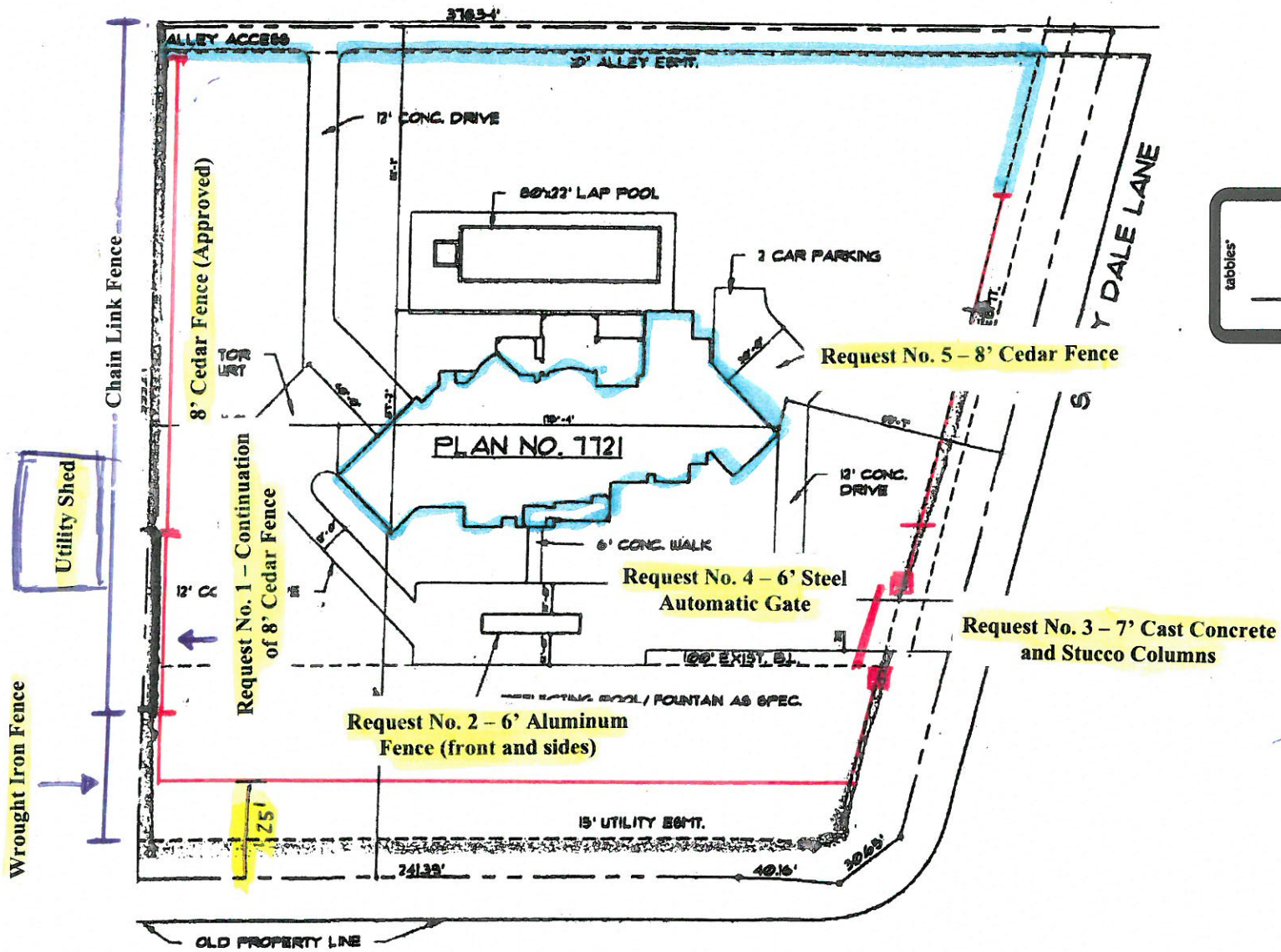


3187 S. Ridge Road



4. 8-foot cedar fence along Shady Dale

The homeowners intend to connect the end of the 6-foot aluminum wrought iron styled-fence along Shady Dale to the existing cast concrete fence with an 8-foot cedar fence identical in style to the 8-foot cedar fence along the northern side of the property.



tabbles®

EXHIBIT

A



City of Rockwall
The New Horizon

CITY OF ROCKWALL BUILDING PERMIT

BUILDING INSPECTIONS DEPT.
385 S. GOLIAD
ROCKWALL, TX 75087
Phone (972) 771-7709

Schedule Inspections: <http://www.rockwall.com/buildinginspections/inspectionReq.asp>

PERMIT RES2021-1285

CONSTRUCTION ADDRESS 54 SHADYDALE LN, ROCKWALL, 75032		TYPE/SUBTYPE Residential Building Permit / Fence Permit	
SUBDIVISION BEST ESTATE ADDITION, BLOCK A, LOT 1, ACRES 2.6			ZONING SF-16
BUILDING OWNER James Best	MAIL ADDRESS 54 Shady Dale Lane	CITY, STATE, ZIP Rockwall, TX, 75032	PHONE
GENERAL CONTRACTOR B&L IRON INC	MAIL ADDRESS PO BOX 628	CITY, STATE, ZIP Caddo Mills, TX, 75135	PHONE 903-527-5577
ELECTRICAL CONTRACTOR	MAIL ADDRESS	CITY, STATE, ZIP	PHONE
PLUMBING CONTRACTOR	MAIL ADDRESS		PHONE
MECHANICAL CONTRACTOR	MAIL ADDRESS		PHONE



BUILDING INFORMATION						
SFR/MFR:	Proposed SF:	Valuation of Work	Garage SF:	Structure Height:	Lot Size :	Plan Number:


PERMIT DESCRIPTION: Install a 8 ft. tall fence made of cedar boards and iron frame and posts as pictured.

CITY REMARKS/DESC:

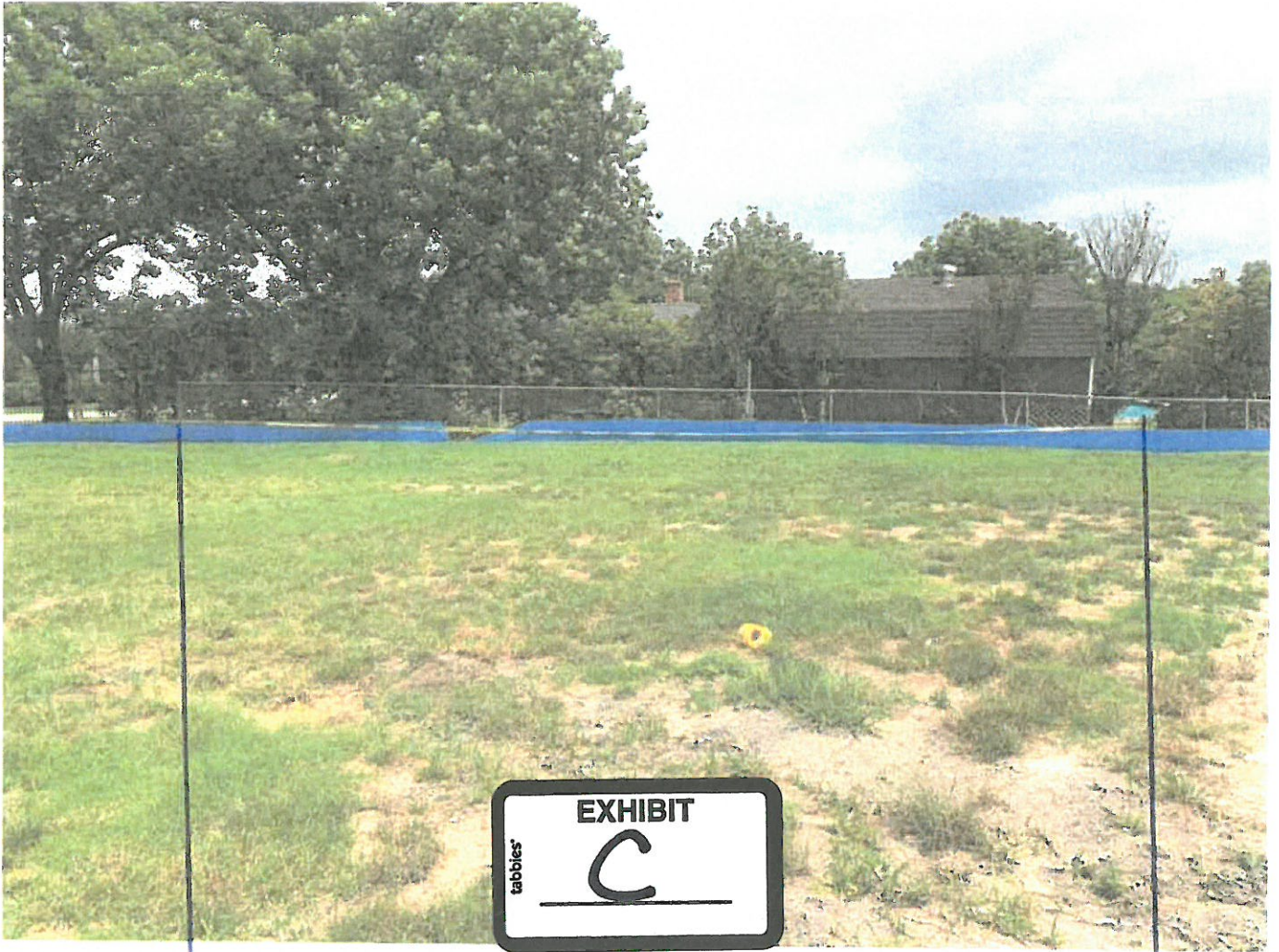
NEW FENCE SHALL STOP AT THE FRONT CORNER OF THE HOUSE INDICATED BY THE RED LINE, NOT ENCROACH THE FRONTYARD. FENCE/POSTS SHALL NOT EXCEED 8 FEET IN HEIGHT MEASURED FROM THE GROUND TO THE TOP OF THE FENCE/POST AT ANY LOCATION

NOTICE TO APPLICANT: THIS PERMIT IS ISSUED ON THE BASIS OF INFORMATION FURNISHED IN THIS APPLICATION AND ON ANY SUBMITTED PLANS. AND IS SUBJECT TO THE PROVISIONS AND REQUIREMENTS OF THE CITY OF ROCKWALL CODE OF ORDINANCES AND ANY OTHER APPLICABLE ORDINANCE. THIS PERMIT IS ISSUED ONLY FOR THE PURPOSE OF ALLOWING CONSTRUCTION OF A BUILDING OR STRUCTURE CONFORMING TO THE CODES AND ORDINANCES OF THE CITY, REGARDLESS OF INFORMATION AND/OR PLANS SUBMITTED.

SCOPE OF PERMIT: FOR NEW BUILDINGS AND FOR ADDITIONS TO EXISTING BUILDINGS, THIS PERMIT AUTHORIZES ALL STRUCTURAL, PLUMBING, ELECTRICAL, MECHANICAL, WORK TO BE PERFORMED IN THE CONSTRUCTION OF THE BUILDING OR STRUCTURE AT THIS ADDRESS, IF DONE AT THE SAME TIME OF INITIAL CONSTRUCTION. NO SEPARATE SUBCONTRACTOR PERMITS ARE NEEDED FOR THOSE TRADES. HOWEVER, THE PERMIT HOLDER IS REQUIRED TO USE ONLY SUBCONTRACTORS LICENSES, REGISTERED, OR BONDED BY THE CITY OF ROCKWALL WHERE SUCH REQUIREMENT IS APPLICABLE.

I HEREBY ACCEPT ALL CONDITIONS HEREIN ABOVE MENTIONED AND CERTIFY THAT ALL STATEMENTS HEREIN RECORDED BY ME ARE TRUE. _____ AGENT OR APPLICANT _____ (DATE)  _____ CITY APPROVAL 04/22/2021 _____ (DATE)	ESTIMATED VALUE (MFR ONLY):								
	<table border="1"> <tr> <td>Credit Card Processing Fee</td> <td>01-4015</td> <td>\$1.00</td> </tr> <tr> <td>Fence Permit Fee</td> <td>01-4302</td> <td>\$50.00</td> </tr> <tr> <td colspan="2">TOTAL FEES</td> <td>\$51.00</td> </tr> </table>	Credit Card Processing Fee	01-4015	\$1.00	Fence Permit Fee	01-4302	\$50.00	TOTAL FEES	
Credit Card Processing Fee	01-4015	\$1.00							
Fence Permit Fee	01-4302	\$50.00							
TOTAL FEES		\$51.00							

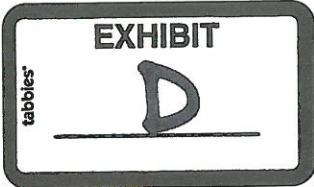
fence



Proposed new cedar fence to cover chain link fence on neighboring property

Front of my house - Build line Present permit stops fence here

fence







Colors

Options

Accessories

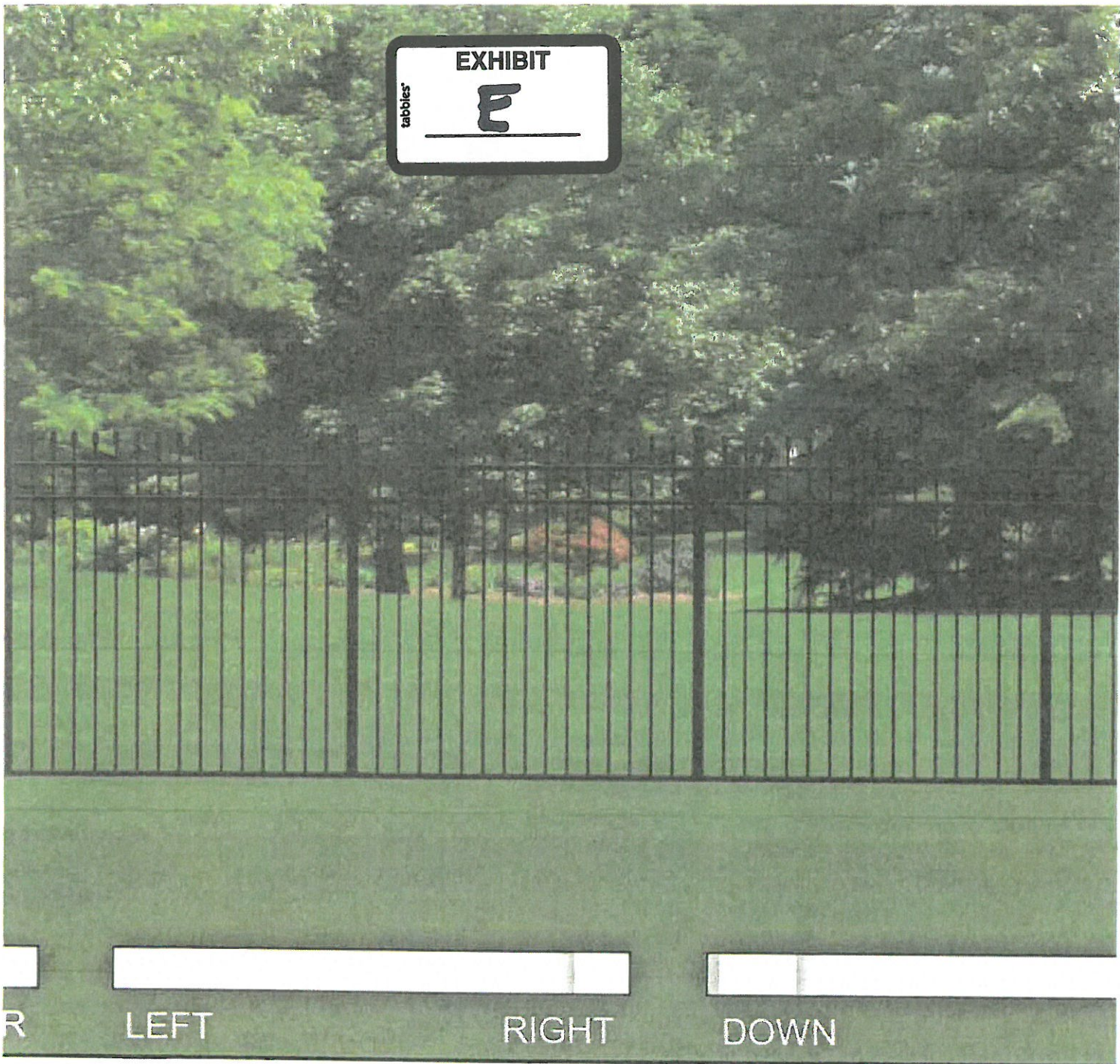


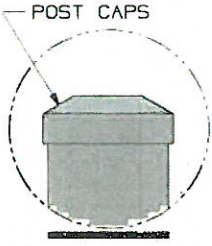
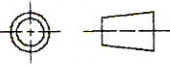
EXHIBIT
tabbies
E

R

LEFT

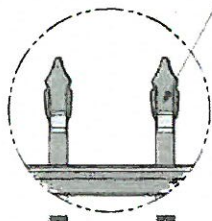
RIGHT

DOWN



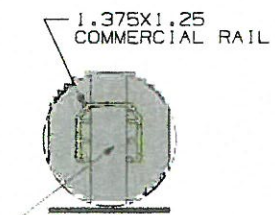
POST CAPS

DETAIL B
SCALE 1:2



COMERCIAL
SPEAR TOP

DETAIL A
SCALE 1:4



1.375X1.25
COMMERCIAL RAIL

3/4" X 3/4" X .055 WALL
COMMERCIAL PICKET

DETAIL C
SCALE 1:2

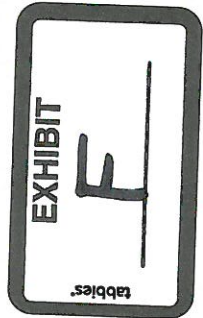


EXHIBIT
F



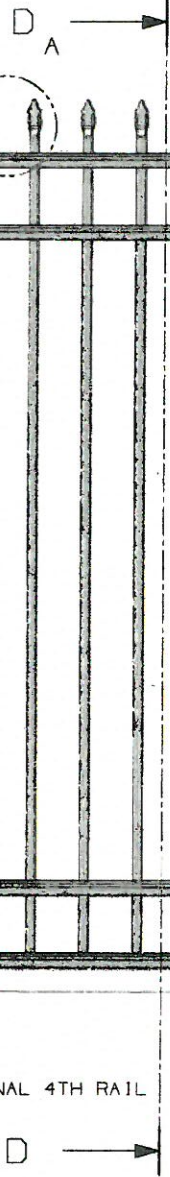
SECTION D-D

72.000
OVERALL
HEIGHT

60.25"
(A)

6.000

2.000



3 5/8" NOMINAL

4.500
6.000

OPTIONAL 4TH RAIL

FINISHED GRADE

73.000
CENTER TO CENTER
AS SHOWN WITH
2 1/2" X 2 1/2" POST

- POST OPTIONS —
- 2" X 2" X .080" WALL
 - 2" X 2" X .125" WALL
 - 2 1/2" X 2 1/2" X .100" WALL
 - 3" X 3" X .125" WALL

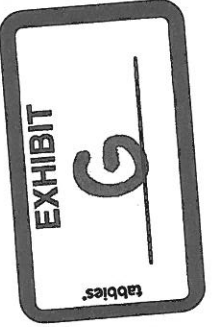
HEIGHT	A
3'	24 1/4"
3 1/2'	30 1/4"
4'	36 1/4"
4 1/2'	42 1/4"
5'	48 1/4"
6'	60 1/4"

3D CAD MASTER PART NAME:

ALL DIMENSIONS IN INCHES

		ULTRA ALUMINUM MANUFACTURING, INC. 2124 GRAND COMMERCE DR., HOWELL, MI 48855 PHONE (800) 656-4420 FAX (800) 646-7429	
FIRST ISSUED		TITLE	UAS-100 FLUSH BOTTOM WITH SPEAR COMMERCIAL
DRAWN BY		SIZE (DIM) NO.	UAS-100 FLUSH BOTTOM COMMERCIAL SPEAR Top 6x8
CHECKED BY		SCALE 1:1	R-V <input checked="" type="checkbox"/>
APPROVED BY		SHEET 1 OF 1	

7



6' tall fence
• Iron

Columns
• 7' tall
• Stucco
• Cast Stone

6' tall gate
• Iron

