

MINUTES

BOARD OF ADJUSTMENTS MEETING
CITY HALL, 385 SOUTH GOLIAD STREET, ROCKWALL, TEXAS
FEBRUARY 12, 2026 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

I. CALL TO ORDER

Chairman Eric Smith called the meeting to order at 6:00PM. Board Members present were David Rohlf, Sue Conaway, Jimmy Smith and Alternate Dr. Catherine Casteel. Staff members present were Building Inspection Supervisor Rusty McDowell, Plans examiner Craig Foshee, Director of Planning and Zoning Ryan Miller, Senior Planner Henry Lee, Senior Planner Bethany Ross, Planning Technician Angelica Guevara and Planning & Zoning Coordinator Melanie Zavala. Staff Absent were Building Official Jeffrey Widmer.

II. OPEN FORUM

This is a time for anyone to address the Board of Adjustments (BOA) on any topic that is not already listed on the agenda for a public hearing. Per the policies of the City of Rockwall, public comments are limited to three (3) minutes out of respect for the time of other citizens. On topics raised during the OPEN FORUM, please know that the Board of Adjustments (BOA) is not permitted to respond to your comments during the meeting per the Texas Open Meetings Act.

Chairman Eric Smith explained how open forum is conducted and asked if anyone who wished to speak to come forward at this time.

Noha Dawit
370 Eva Place
Rockwall, TX 750832

Mr. Dawit came forward and addressed the Commission regarding a previous meeting held in October. Mr. Dawit stated that he was present to follow up on a matter related to an additional vote that occurred during that meeting. He explained that he had been contacted by the City Manager or City Planner regarding a potential correction to the record and wanted to receive an update on the status of that matter. Mr. Dawit stated that he was attending the meeting to determine whether the record had been corrected or if any action had been taken regarding the issue.

Chairman Smith asked if anyone else who wished to speak to come forward at this time; there being no one indicating such Chairman Smith closed the open forum.

III. CONSENT AGENDA

1. Approval of Minutes for the January 8, 2026 Board of Adjustments (BOA) meeting.

Board Member Rohlf explained that line 64 of the minutes contained a grammatical error. Board Member Rohlf requested that the words "with a" be removed so that the line would read "with the stipulation." Board Member Rohlf stated that with that amendment, he would move to approve the minutes. Chairman Smith seconded the motion which passed by a vote of 5-0

IV. PUBLIC HEARING ITEMS

This is a time for anyone to speak concerning their issues with a public hearing case. If you would like to speak regarding an item listed in this section, please submit a Request to Address the Board of Adjustments (i.e. the yellow forms available at the podium or from staff). The Board of Adjustments Chairman will call upon you to come forward at the proper time or will ask if anyone in the audience would like to speak. Please limit all comments to three (3) minutes out of respect for the time of other citizens.

2. BOA2026-001 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Jennifer and Duane Piercy for the approval of a Variance to the minimum front yard building setback for the purpose of allowing the construction of a single-family home on a 0.23-acre tract of land identified as a portion of Tract 60 of the R. Ballard Survey, Abstract No. 29 (i.e. Lot 4, Block A, Piercy Place Addition), City of Rockwall, Rockwall County, Texas, zoned Single-Family 7 (SF-7) District, addressed as 709 Hartman Street, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary regarding the applicant's request. Mr. Miller stated that the subject property, located at 709 Hartman Street, is currently zoned Single-Family 7 District and is located at the northeast corner of the intersection of Hartman Street and Wade Street. Mr. Miller explained that the applicant is requesting approval of a variance to reduce the required 20-foot front yard building setback adjacent to Wade Street to 10 feet in order to construct a single-family residence on the property. Mr. Miller provided background information regarding the property and stated that it was originally part of a 0.66-acre tract of land that contained two single-family homes, which were constructed in 1975. He explained that the previous configuration created a legally non-conforming condition. He stated that the applicant obtained demolition permits, removed the existing homes, and received approval for a subdivision of the property through City Council. He explained that the replat was approved on January 20, 2026, and once filed, the subject property will be identified as Lot 3, Block A, Piercy Place Addition. Mr. Miller stated that the applicant intends to construct a single-family residence on the property. He also explained that the variance request is being considered because the property is classified as a corner lot, and more specifically a keystone lot, meaning the property has two street frontages and the rear lot line is adjacent to the front yard of the property behind it. He stated that, according to Article 13 of the Unified Development Code, properties with multiple street frontages are required to provide a front yard setback along each street. Therefore, the property is required to maintain a 20-foot setback along both Hartman Street and Wade Street. Mr. Miller explained that the applicant is requesting to reduce the setback along Wade Street from 20 feet to 10 feet. He stated that the proposed home will face Hartman Street, making the requested variance applicable to the side yard adjacent to Wade Street. Mr. Miller noted that all other aspects of the request comply with the Single-Family 7 District requirements. Mr. Miller

provided an overview of the surrounding area and stated that the existing homes previously located on the property had a 10-foot side yard setback, which is consistent with the property across the street. He explained that the area is an older section of the City with homes ranging in construction dates from the 1920s to present day, and many lots were established prior to the current Unified Development Code standards. Mr. Miller stated that, as a result, several corner lots in the area were originally developed with a 10-foot build line. Mr. Miller explained that staff conducted an analysis of surrounding properties and identified multiple examples of homes with a 10-foot side yard setback adjacent to a street. He noted that the property located at 707 Hartman Street, directly across Wade Street from the subject property, provides a similar example to the applicant's request. Mr. Miller stated that based on staff's analysis, the requested reduction in setback would not alter the essential character of the neighborhood, substantially weaken the purpose of the zoning regulations, or negatively impact adjacent properties. Mr. Miller acknowledged that the request could be considered a self-created hardship due to the recent replat and resulting lot configuration; however, staff recognizes that strict enforcement of the 20-foot setback in this location could create development constraints inconsistent with the established development pattern of the surrounding area. Mr. Miller explained that the Board of Adjustments is responsible for evaluating the request based on the criteria outlined in the Unified Development Code and state law, including whether the variance would injure adjacent properties, adversely affect public health, safety, or welfare, be contrary to the public interest, maintain harmony with the intent of the Unified Development Code, involve unique circumstances, and whether any hardship is self-created. Mr. Miller stated that, as with all variance requests, approval is a discretionary decision of the Board of Adjustments. Mr. Miller stated that, in accordance with the Texas Local Government Code and the Unified Development Code, staff mailed 17 notices to property owners and occupants within 200 feet of the subject property on January 27, 2026. He further stated that the request was published in the Rockwall Herald-Banner and, as of the meeting date, staff had not received any responses from surrounding property owners. Mr. Miller added that he met with the property owner north of the subject property, who indicated she had no concerns with the requested variance.

Board Member Jimmy Smith asked if the 20 feet is measured from the right-of-way and not necessarily where the road is today.

Director of Planning and Zoning Ryan Miller explained it was measured from the property line.

Board Member Smith also asked for clarification if the front of their home would face Hartman street.

Duane Piercy
709 Hartman Street
Rockwall, TX 75087

Mr. Piercy came forward and addressed the Board regarding the requested variance. Mr. Piercy explained that the home is being designed so that the garage portion of the structure will maintain the required 20-foot setback due to driveway requirements and the potential future reconstruction of the roadway to a 50-foot width. He stated that the intent is not to place the driveway or garage area closer to the street, but rather that the requested variance would apply only to a smaller portion of the rear area of the home. Mr. Piercy clarified that the proposed design will continue to provide adequate driveway space and accommodate potential future roadway improvements.

Board Member Rohlf asked what the applicant's alternative plan would be if the requested variance was not approved.

Director of Planning and Zoning clarified the property has been subdivided.

Chairman Smith opened the public hearing and asked if anyone who wished to speak to come forward at this time. There being no one indicating such, Chairman Smith closed the public hearing and brought the item back to Commission for discussion or action.

Chairman Smith made a motion to approve B2026-001. Board Member Jimmy Smith seconded the motion which passed by a vote of 5-0.

V. EXECUTIVE SESSION

The City of Rockwall Board of Adjustments (BOA) will recess into executive session to discuss the following matter as authorized by Chapter 551 of the Texas Government Code:

3. Discussion regarding Order No. BOA2025-3-V pursuant to Section 551.071 (*Consultation with Attorney*).

VI. ADJOURN EXECUTIVE SESSION

Chairman Smith adjourned from executive session at 6:13PM

VII. RECONVENE PUBLIC MEETING

Chairman Smith reconvened the public meeting at 6:24PM

VIII. TAKE ANY ACTION AS A RESULT OF EXECUTIVE SESSION

Chairman Smith made a motion to approve B2025-3-V. Board Member Conway seconded the motion. The motion to approve failed by a vote of 3 in favor, 1 opposed, and 1 abstention, with Board Member Rohlf voting in opposition and Dr. Catherine Casteel abstaining.

IX. ADJOURNMENT

Chairman Eric Smith adjourned the meeting at 6:25PM

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PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this 30th day of July, 2026.


Eric Smith, Chairman

Attest: 

Melanie Zavala, Planning Coordinator

X.WORK SESSION

4. Work Session. A work session for general training purposes will be held in the City Council meeting room immediately following the adjournment of the February 12, 2026 Board of Adjustments (BOA) meeting.