



# PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # 22021-010 P&Z DATE 05/11/21 CC DATE 05/17/21 APPROVED/DENIED \_\_\_\_\_  
ARCHITECTURAL REVIEW BOARD DATE \_\_\_\_\_ HPAB DATE \_\_\_\_\_ PARK BOARD DATE \_\_\_\_\_

## ZONING APPLICATION

- ☒ SPECIFIC USE PERMIT
- ☐ ZONING CHANGE
- ☐ PD CONCEPT PLAN
- ☐ PD DEVELOPMENT PLAN

## SITE PLAN APPLICATION

- ☒ SITE PLAN
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN
- ☐ PHOTOMETRIC PLAN
- ☐ BUILDING ELEVATIONS
- ☐ MATERIAL SAMPLES
- ☐ COLOR RENDERING

## PLATTING APPLICATION

- ☐ MASTER PLAT
- ☐ PRELIMINARY PLAT
- ☐ FINAL PLAT
- ☐ REPLAT
- ☐ ADMINISTRATIVE/MINOR PLAT
- ☐ VACATION PLAT
- ☐ LANDSCAPE PLAN
- ☐ TREESCAPE PLAN

- ☐ COPY OF ORDINANCE (ORD.# \_\_\_\_\_)
- ☒ APPLICATIONS
- ☒ RECEIPT
- ☒ LOCATION MAP
- ☒ HOA MAP
- ☒ PON MAP
- ☐ FLU MAP
- ☐ NEWSPAPER PUBLIC NOTICE
- ☐ 500-FT. BUFFER PUBLIC NOTICE
- ☐ PROJECT REVIEW
- ☐ STAFF REPORT
- ☐ CORRESPONDENCE
- ☐ COPY-ALL PLANS REQUIRED
- ☐ COPY-MARK-UPS
- ☐ CITY COUNCIL MINUTES-LASERFICHE
- ☐ MINUTES-LASERFICHE
- ☐ PLAT FILED DATE \_\_\_\_\_
  - ☐ CABINET # \_\_\_\_\_
  - ☐ SLIDE # \_\_\_\_\_

NOTES: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ZONING MAP UPDATED \_\_\_\_\_





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING CASE NO. 22021-010

**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) <sup>1</sup>
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### NOTES:

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## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1748 LAKE BREEZE DR.

SUBDIVISION Hillcrest Shores

LOT 6 BLOCK 0

GENERAL LOCATION 1748 Lake Breeze

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

CURRENT ZONING PD-11

CURRENT USE Residential

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

PROPOSED USE Residential

ACREAGE 0.2297

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 MARK KLECHA

☐ APPLICANT

SAME

CONTACT PERSON

CONTACT PERSON

ADDRESS 1748 LAKE BREEZE DR.

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE (402) 315-8387

PHONE

E-MAIL markklecha@hotmail.com

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

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

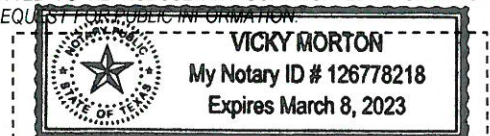
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GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 16 DAY OF April, 20 21

OWNER'S SIGNATURE Mark Klecha

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton



MY COMMISSION EXPIRES March 8, 2023





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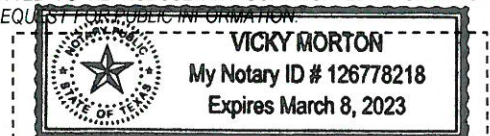
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Vicky Morton



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385 S. Goliad Street  
Rockwall, Texas 75032  
(P): (972) 771-7745  
(W): [www.rockwall.com](http://www.rockwall.com)

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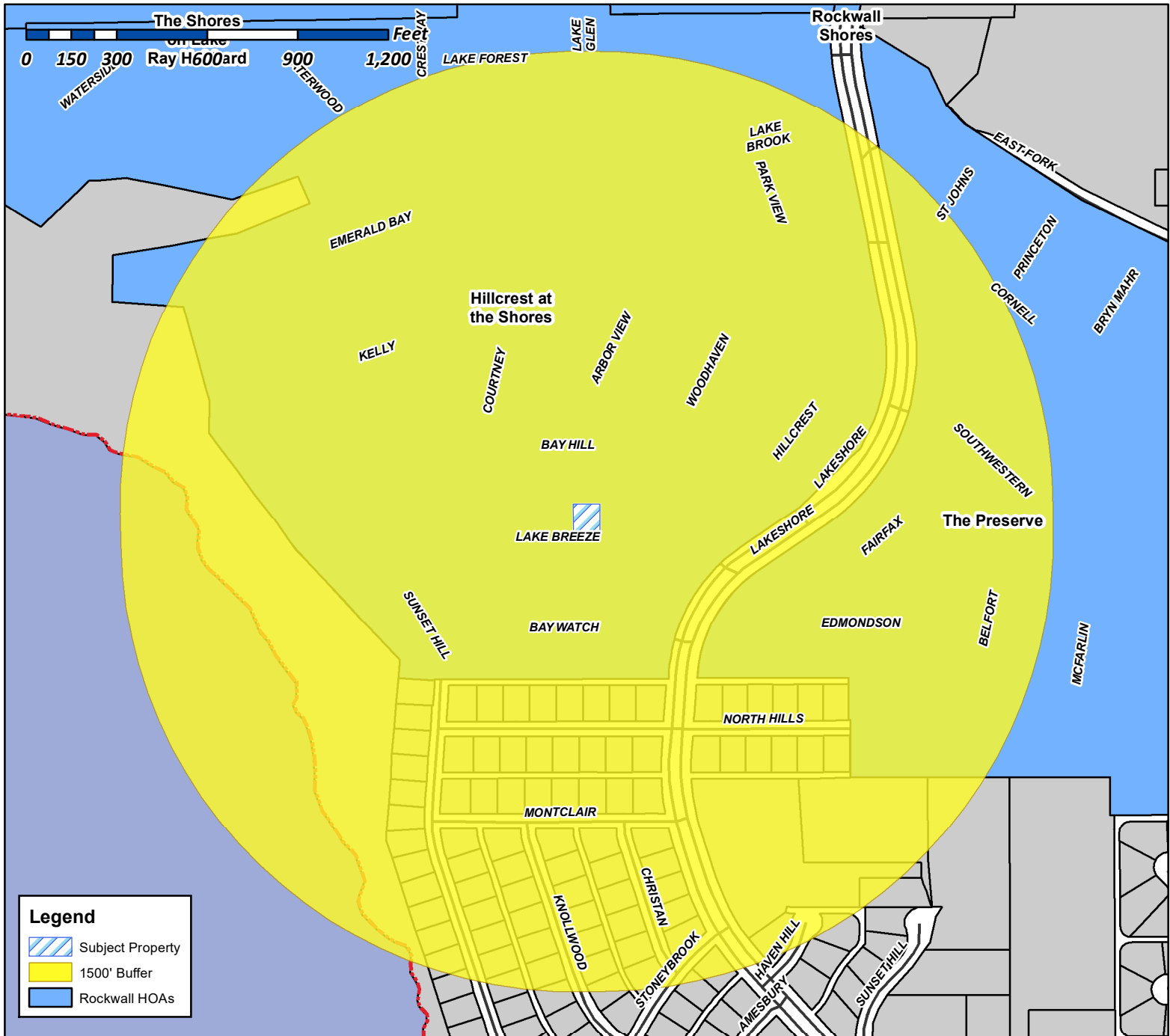




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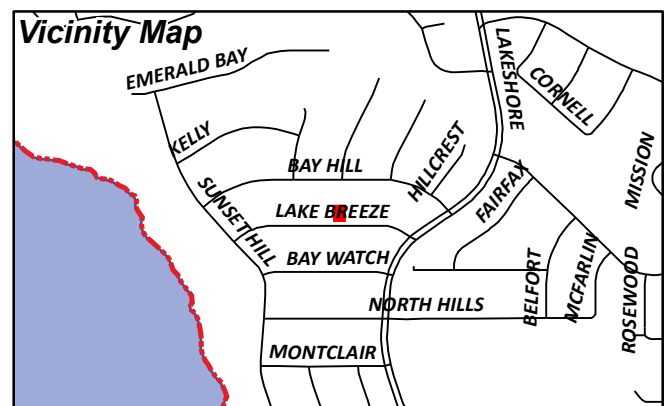
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**Case Number:** Z2021-010  
**Case Name:** SUP for Accessory Structure  
**Case Type:** Zoning  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 4/16/2021  
**For Questions on this Case Call** (972) 771-7745



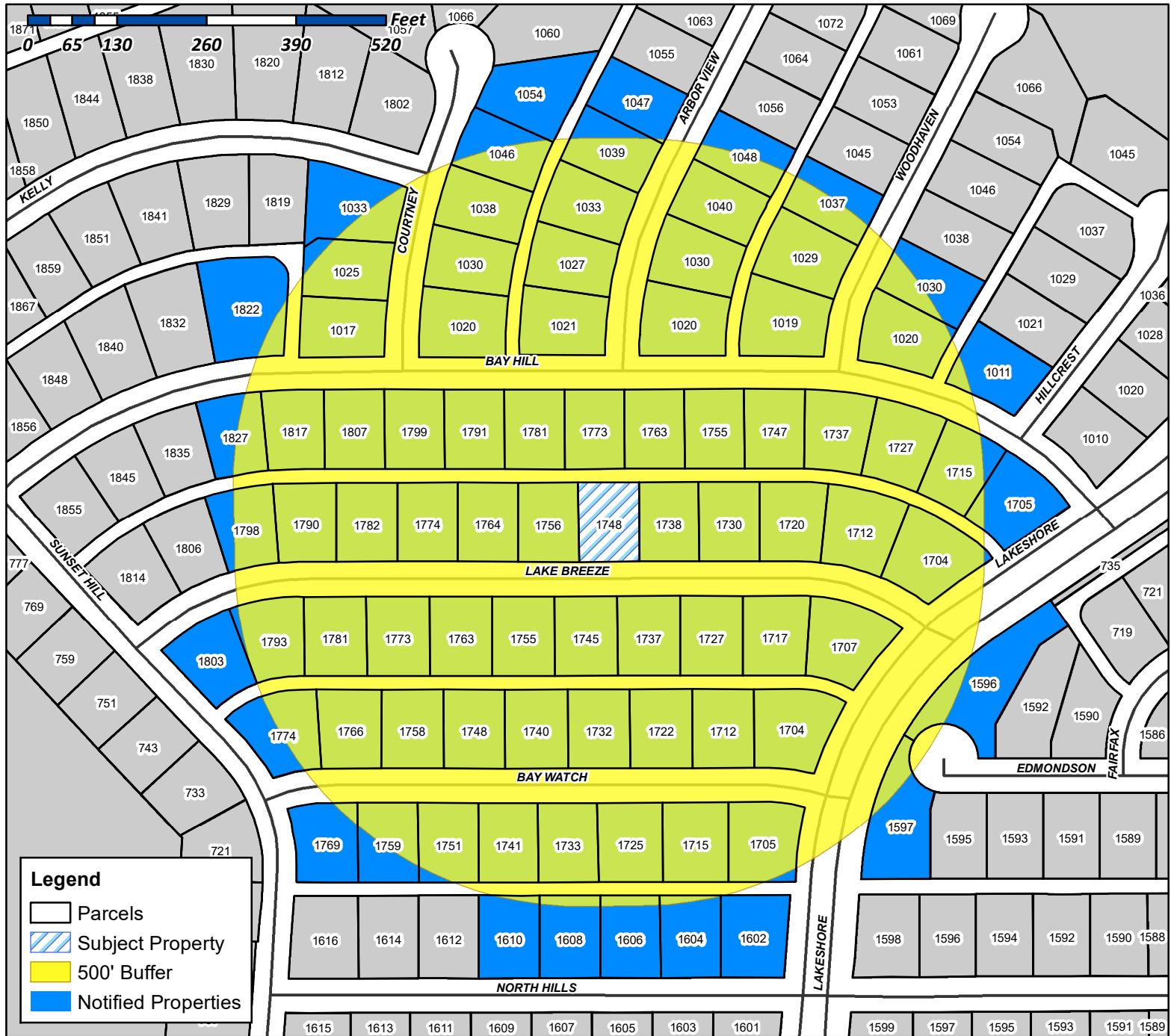




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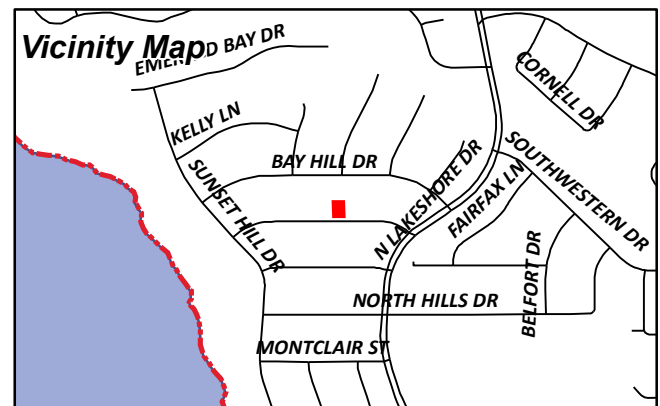
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# PROJECT COMMENTS



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

DATE: 4/22/2021

PROJECT NUMBER: Z2021-010  
PROJECT NAME: SUP for 1748 Lake Breeze Drive  
SITE ADDRESS/LOCATIONS: 1748 LAKE BREEZE DR, ROCKWALL, 75087

CASE MANAGER: Angelica Gamez  
CASE MANAGER PHONE: 972-772-6438  
CASE MANAGER EMAIL: [agamez@rockwall.com](mailto:agamez@rockwall.com)

CASE CAPTION: Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) superseding Ordinance No. 20-34 and allowing an accessory building that does not conform to S-231 [Ordinance No. 20-34] on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
	David Gonzales	04/21/2021	Needs Review

04/21/2021: Z2021-010; Amending Specific Use Permit for Accessory Structure at 1748 Lake Breeze Drive  
Please address the following comments (M= Mandatory Comments; I = Informational Comments)

I.1 This is a request for the approval of a Specific Use Permit (SUP) superseding Ordinance No. 20-34 and allowing an accessory building that does not conform to S-231 [Ordinance No. 20-34] on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive.

I.2 For questions or comments concerning this case please contact David Gonzales in the Planning Department at (972) 772-6488 or email [dgonzales@rockwall.com](mailto:dgonzales@rockwall.com).

I.3 This project is subject to all requirements stipulated by the Unified Development Code (UDC), the Specific Use Permit (SUP) that are applicable to the subject property.

M.4 Please review and provide red-lined mark-ups of any changes to the Specific Use Permit (SUP) [i.e. Draft Ordinance] you feel may be necessary for your proposed project and return to staff no later than May 4, 2021 for review and consideration.

(A) Proposed operational conditions of the SUP Ordinance:

The following conditions pertain to the operation of an Accessory Building on the Subject Property and conformance to these conditions are required for continued operations:

- (1) The Accessory Building shall generally conform to the concept plan and the conceptual building elevations depicted in Exhibits 'B' & 'C' of this ordinance.
- (2) The Accessory Building shall not exceed a maximum size of 570 SF (i.e. 330 SF - 1st floor & 240 SF – 2nd floor).
- (3) The Accessory Building shall not exceed a height of more than 19-feet, 9-inches.
- (4) The subject property shall not have more than one (1) accessory building.



I.5 Please note the scheduled meetings for this case:

- (1) Planning & Zoning work session meeting will be held on April 27, 2021.
- (2) Planning & Zoning Public Hearing will be held on May 11, 2021.
- (3) City Council Public Hearing will be held on May 17, 2021. [1st Reading of Ordinance]
- (4) City Council regular meeting will be held on June 7, 2021. [1st Reading of Ordinance]

I.6 All meetings will be held in person in the City's Council Chambers and are scheduled to begin at 6:00 PM. The City requires that a representative(s) be present for all scheduled meetings.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	04/22/2021	Approved w/ Comments

04/22/2021: I - Need to install rock/stone on the retaining wall.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	04/22/2021	Approved

04/22/2021: 1. NEED TO REMOVE ROOF FROM FENCE.  
2. NO LOT TO LOT DRAINAGE.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ariana Kistner	04/21/2021	Needs Review

04/21/2021: Need a site plan that shows the distance from property lines for the fire-rated separation requirements.  
Need building construction plans for review.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	04/19/2021	Approved

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	David Gonzales	04/22/2021	N/A

No Comments

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	04/19/2021	Approved

04/19/2021: No comments





# DEVELOPMENT APPLICATION

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Planning and Zoning Department  
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LOTS [CURRENT]

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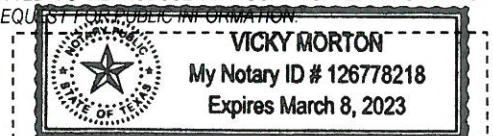
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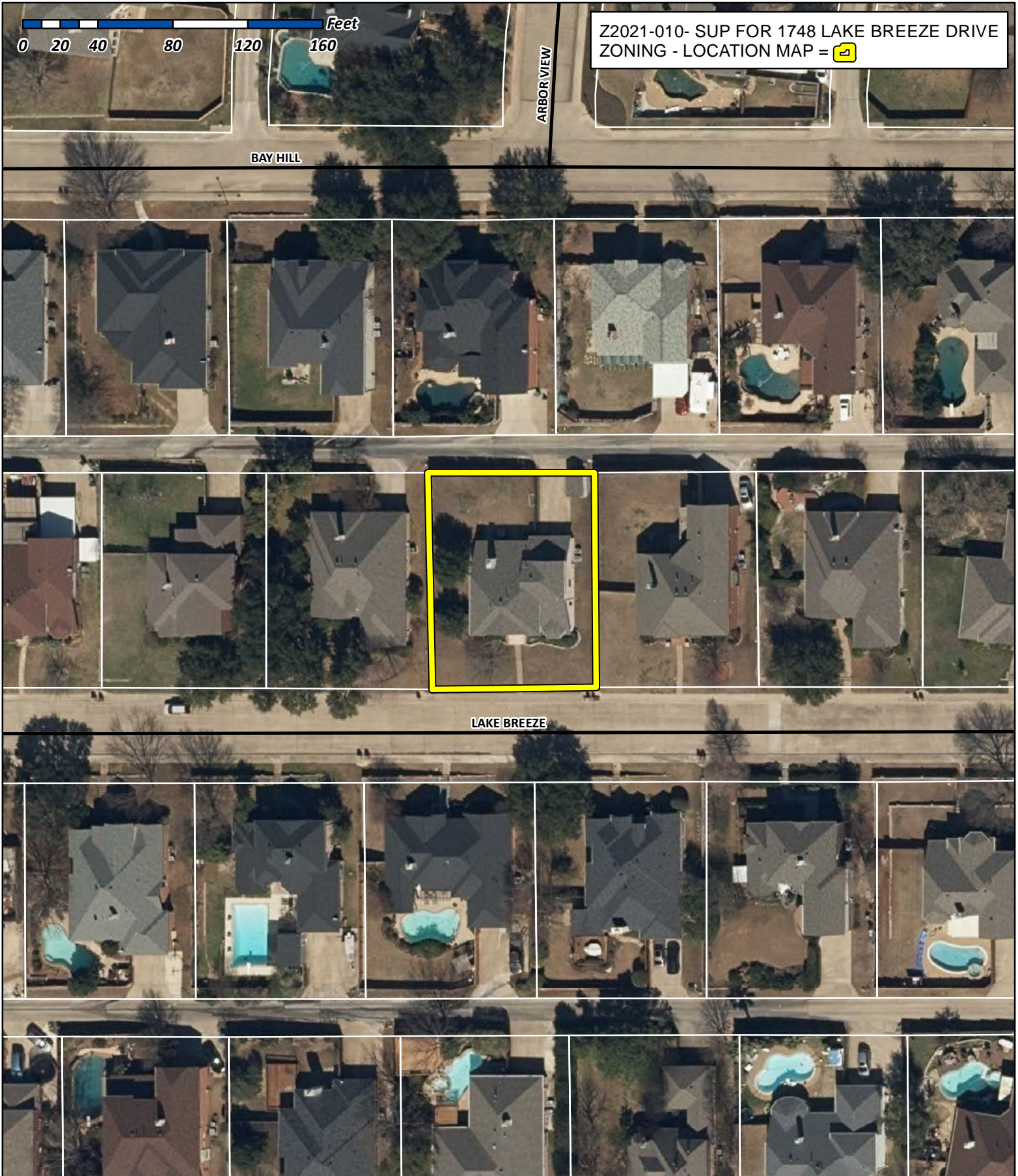
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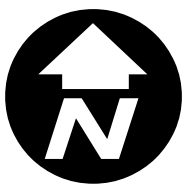




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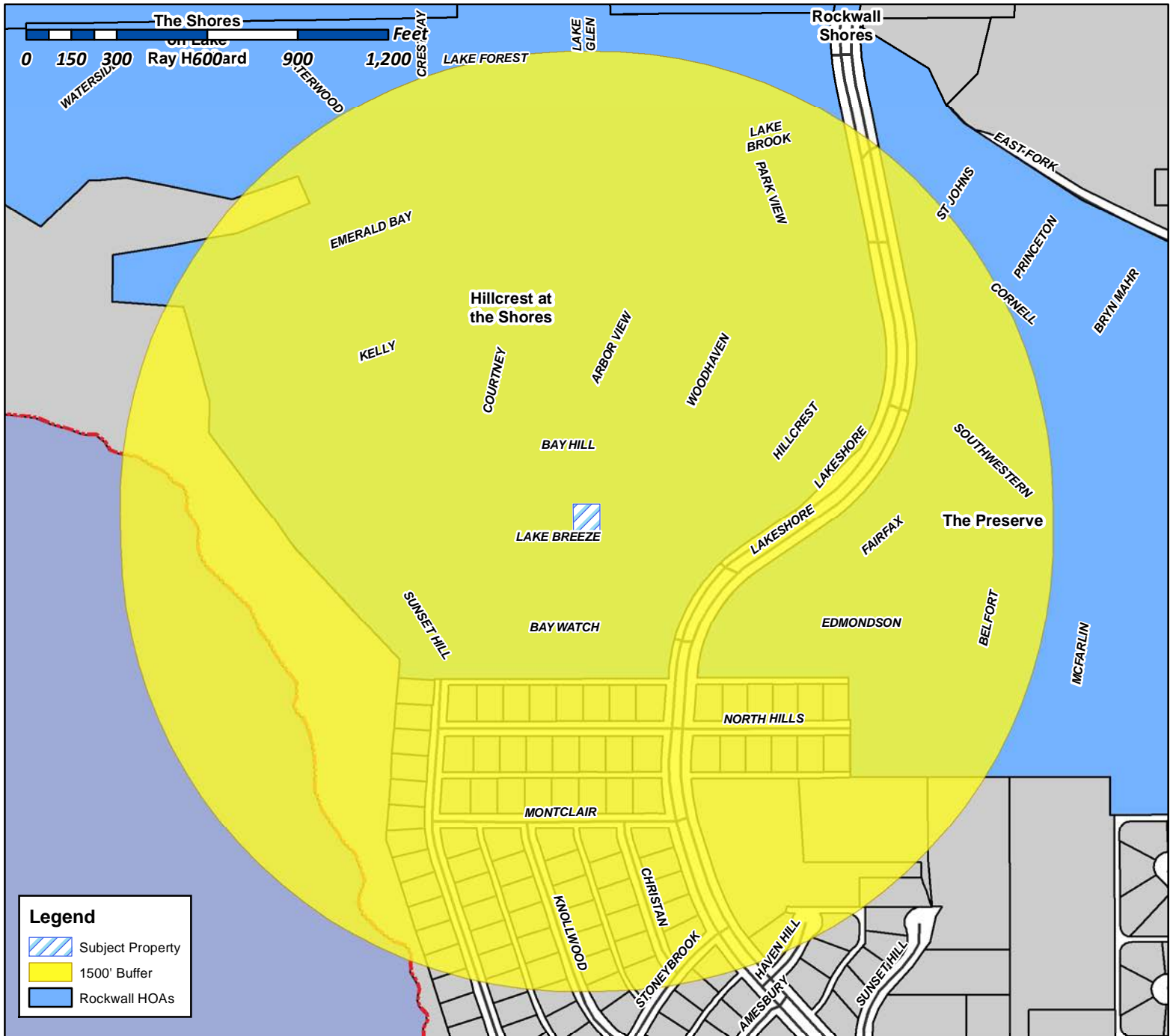




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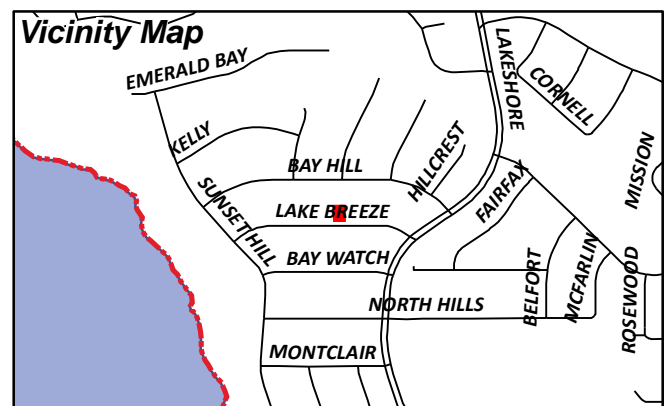
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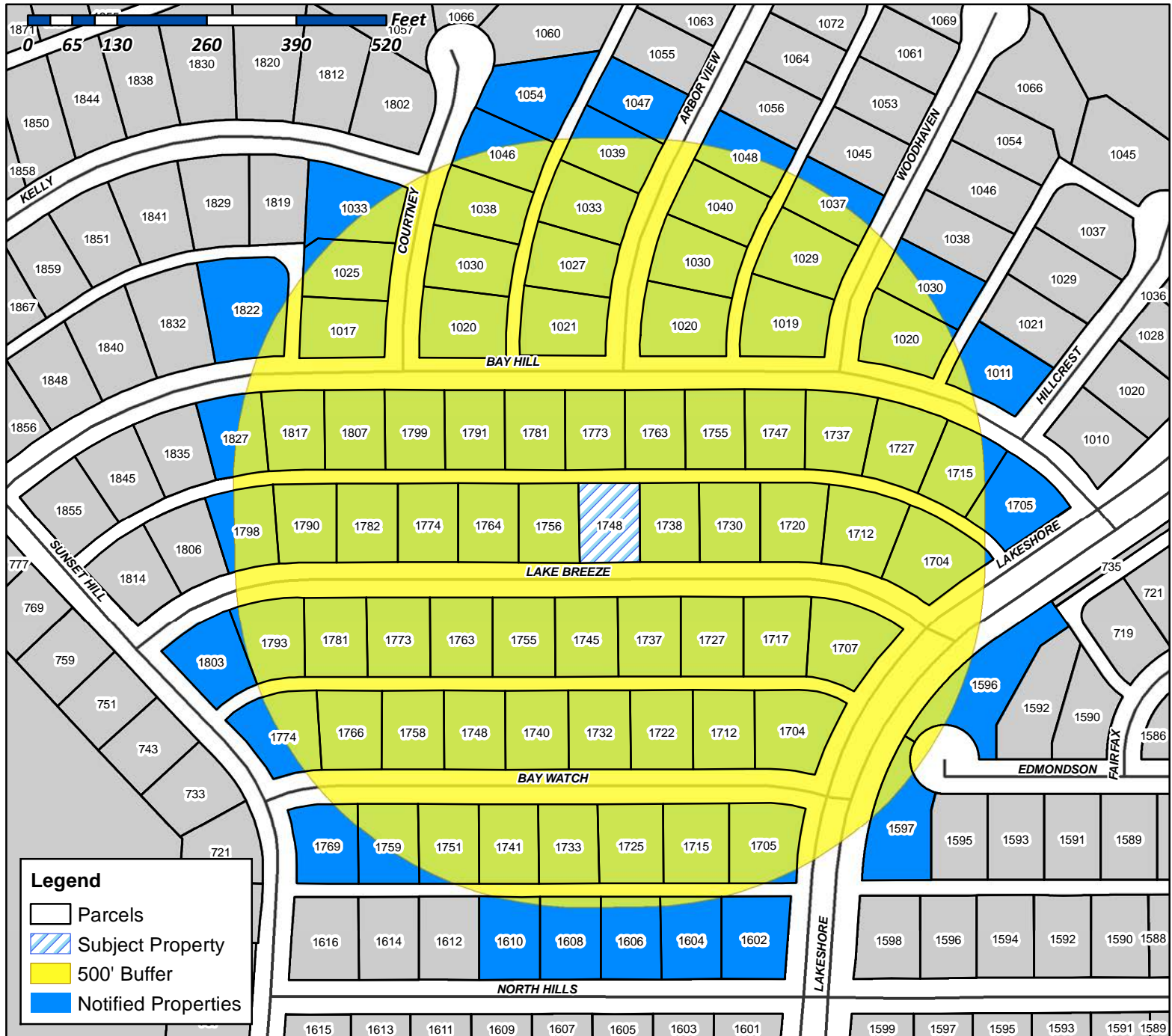




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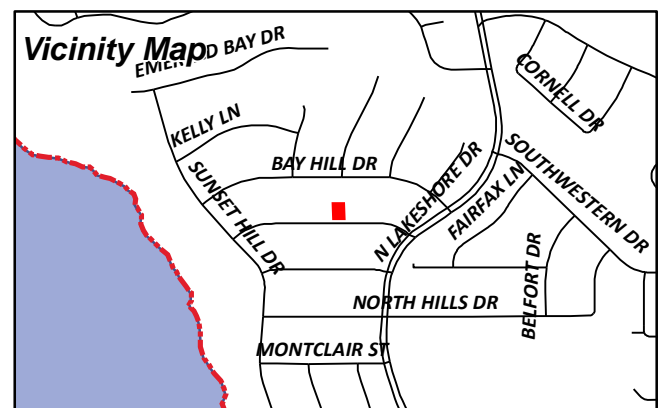
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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.



**Case Number:** Z2021-010  
**Case Name:** SUP for Accessory Structure  
**Case Type:** Zoning  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 4/16/2021  
**For Questions on this Case Call** (972) 771-7745





MATHIAS ERIC J & ROBIN A  
1011 HILLCREST CIR  
ROCKWALL, TX 75087

ANDERSON SALLY LESIL & STEVE  
1017 COURTNEY CIRCLE  
ROCKWALL, TX 75087

BAUCHMAN NANCY  
1019 WOODHAVEN CIR  
ROCKWALL, TX 75087

DORN KEITH  
1020 ARBOR VIEW PL  
ROCKWALL, TX 75087

SANDMAN DAVID & VALERIE  
1020 COURTNEY CIR  
ROCKWALL, TX 75087

HAUER MELVIN C & VIRGINIA L  
1020 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

LOGAN WINFRED BART & TRACEY  
1021 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAURHOFF MARGARET L AND  
MICHAEL J VEREB  
1025 COURTNEY CIRCLE  
ROCKWALL, TX 75087

WEBER MATTHEW J AND THERESA M  
1027 ARBOR VIEW PL  
ROCKWALL, TX 75087

HOVERMAN BRYAN AND KELLIE  
1029 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

BENAVIDES RAPHAEL G & MARY A  
1030 ARBOR VIEW PL  
ROCKWALL, TX 75087

MULLINAX STEVE WAYNE & DEBBIE S  
1030 COURTNEY CIR  
ROCKWALL, TX 75087

CORRIGAN DERRICK & STEFANIE  
1030 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

ABRAMSKY SAMUEL & CHRISTI  
1033 ARBOR VIEW PL  
ROCKWALL, TX 75087

FLEMING ERIC AND DEIDRE  
1033 COURTNEY CIR  
ROCKWALL, TX 75087

WARD PATRICK C  
1037 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

BEATY SUSAN J  
1038 COURTNEY CR  
ROCKWALL, TX 75087

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO., LTD  
1039 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAY RICHARD A & LISA A  
1040 ARBOR VIEW PL  
ROCKWALL, TX 75087

SMETANA JOSEPH JR & ANGEL P  
1046 COURTNEY CIR  
ROCKWALL, TX 75087

RESTER J TREVER & MICHELLE  
1047 ARBOR VIEW PL  
ROCKWALL, TX 75087

PETTIT PAUL & PAMELA  
1048 ARBOR VIEW PL  
ROCKWALL, TX 75087

WRIGHT LARRY G & JENNIFER  
1054 COURTNEY CIRCLE  
ROCKWALL, TX 75087

MATHIAS ERIC J & ROBIN A  
1514 MALLARD HVN  
SAN ANTONIO, TX 78260

LAGRANGE DONALD AND AMY C  
1596 EDMONDSON TRAIL  
ROCKWALL, TX 75087

JONES LALANII  
1597 EDMONDSON TRAIL  
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP  
1602 NORTH HILLSDR  
ROCKWALL, TX 75087

KLUTTS BEN A JR & JULIE C  
1604 N HILLS DR  
ROCKWALL, TX 75087

WATSON MATTHEW W & JAMIE D  
1606 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

CONNALLY DAVID & VICKIE  
1608 N HILLS DR  
ROCKWALL, TX 75087



CONFIDENTIAL  
1610 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

JOHNSON CLARENCE R & CASANDRA L  
1704 BAY WATCH DR  
ROCKWALL, TX 75087

SIMS DAVID E AND ANITA L  
1704 LAKE BREEZE DR  
ROCKWALL, TX 75087

LYNCH CHRISTOPHER J  
1705 BAY WATCH DRIVE  
ROCKWALL, TX 75087

RYAN JEFFREY & DARLA  
1705 BAYHILL DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1707 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PAULSEN LOGAN & BRANDI A  
1712 BAY WATCH DRIVE  
ROCKWALL, TX 75087

VAUGHN STEPHEN MICHAEL  
1712 LAKE BREEZE DR  
ROCKWALL, TX 75087

WHITAKER MARTIN & DORIS  
1715 BAY WATCH DR  
ROCKWALL, TX 75087

REPMAN MARK &  
MICHELLE BASTIDAS  
1715 BAYHILL DR  
ROCKWALL, TX 75087

TAYLOR MICHAEL JOSEPH JR AND HEATHER L  
1717 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PEDDIE STACIE  
1720 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

KEETON KENNETH W & REBECCA  
1722 BAY WATCH DR  
ROCKWALL, TX 75087

HIETBRINK BERNARD D & MELISSA L  
1725 BAY WATCH DR  
ROCKWALL, TX 75087

VILLARREAL GLORIA M & JOSE C  
1727 BAY HILL DR  
ROCKWALL, TX 75087

KETON JAMES H & JEANNETTE S  
1727 LAKE BREEZE DR  
ROCKWALL, TX 75087

HIGGINS BRADLEY STEPHEN AND  
AMANDA JO BURT HIGGINS  
1730 LAKE BREEZE DR  
ROCKWALL, TX 75087

BREEN ROBERT AND LAURA  
1732 BAY WATCH DR  
ROCKWALL, TX 75087

WHALIN GREGORY L & TERRI B  
1733 BAY WATCH DR  
ROCKWALL, TX 75087

LOCKWOOD CHARLES DOUGLAS  
1737 BAYHILL DR  
ROCKWALL, TX 75087

BOWEN RONALD L & DEANNA K  
1737 LAKE BREEZE DR  
ROCKWALL, TX 75087

BYROM JOHNNY R & LYNETTE  
1738 LAKE BREEZE DR  
ROCKWALL, TX 75087

TUBBS LAJUAN C  
1740 BAY WATCH DR  
ROCKWALL, TX 75087

LANZONE FAMILY LIVING TRUST  
CHRIS A LANZONE AND DIANE M LANZONE-  
TRUSTEES  
1741 BAY WATCH DRIVE  
ROCKWALL, TX 75087

GEHRING CAROLYN S  
1745 LAKE BREEZE DR  
ROCKWALL, TX 75087

PHILLIPS JACOB AND CAREEN NAKHLEH  
1747 BAYHILL DRIVE  
ROCKWALL, TX 75087

HARRINGTON VIOLET A  
1748 BAYWATCH DR  
ROCKWALL, TX 75087

KLECHA MARK AND ANGELA  
1748 LAKE BREEZE DR  
ROCKWALL, TX 75087

AKARD ARTHUR F & DANA D  
1751 BAY WATCH DR  
ROCKWALL, TX 75087

THOMPSON RONALD G & CAROLYN E  
1755 BAYHILL DR  
ROCKWALL, TX 75087



BARKER MARK A  
1755 LAKE BREEZE DR  
ROCKWALL, TX 75087

BOONE WILLIAM R JR & KYOKO N  
1756 LAKE BREEZE DR  
ROCKWALL, TX 75087

OH SINEUI  
1758 BAY WATCHDR  
ROCKWALL, TX 75087

WITTIG MILTON G & CYNTHIA J  
1759 BAY WATCH DR  
ROCKWALL, TX 75087

LOWNDES ROBERT  
1763 BAYHILL DR  
ROCKWALL, TX 75087

LONDON REV TR  
1763 LAKE BREEZE DR  
ROCKWALL, TX 75087

AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
1764 LAKE BREEZE DR  
ROCKWALL, TX 75087

RAY WILLIAM JACKSON AND DAWN MARIE  
1766 BAY WATCH DRIVE  
ROCKWALL, TX 75087

JACOBSON BRUCE ALLEN & MARGARET  
1769 BAY WATCH DR  
ROCKWALL, TX 75087

SMITH JAMES & JULIE  
1773 BAYHILL DR  
ROCKWALL, TX 75087

MEYN RICHARD B & CATHERINE  
MEYN FAMILY TRUST  
1773 LAKE BREEZE DR  
ROCKWALL, TX 75087

HAMILTON DOUGLAS C & JANET K  
1774 BAY WATCH DR  
ROCKWALL, TX 75087

GUZMAN PATRICIA MARGARITA & THANH  
NGUYEN HOANG  
1774 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

MOORE KERMIT T & GWENDOLYN R  
1781 BAYHILL DR  
ROCKWALL, TX 75087

PERALES LIVING TRUST  
1781 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

HOLCOMB RICHARD & KATHY  
1782 LAKE BREEZE DR  
ROCKWALL, TX 75087

CUTLER ELDON GEORGE & THALIA LONE  
1790 LAKE BREEZE DR  
ROCKWALL, TX 75087

BARBER TRUMAN JOSEPH & BARBARA  
1791 BAYHILL DR  
ROCKWALL, TX 75087

KING DOROTHY  
1793 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

DAVENPORT JAMES & MARYBETH  
1798 LAKE BREEZE DR  
ROCKWALL, TX 75087

VESTAL JEANETTE & ALSON  
1799 BAYHILL DR  
ROCKWALL, TX 75087

CRETI DANIEL AND MARTHA TRUST  
1803 LAKE BREEZE DR  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
1807 BAY HILL DR  
ROCKWALL, TX 75087

DAVIS JIMMY GOLAN AND TATIANA  
KAPOUSTINA-DAVIS  
1817 BAYHILL DRIVE  
ROCKWALL, TX 75087

ARAKI YU  
1822 BAY HILL DR  
ROCKWALL, TX 75087

KHABAZ ALLEN BLEEDO  
1827 BAYHILL DR  
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP  
202 N SAN JACINTO ST  
ROCKWALL, TX 75087

AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
30601 AGOURA ROAD SUITE 200  
AGOURA HILLS, CA 91301

CUTLER ELDON GEORGE & THALIA LONE  
40161 E 179TH STREET  
KINGSVILLE, MO 64061

VILLARREAL GLORIA M & JOSE C  
4914 W 106TH ST  
OAK LAWN, IL 60453



OH SINEUI  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO., LTD  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

ARAKI YU  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

CRETI DANIEL AND MARTHA TRUST  
550 S SILVERADO WAY  
ANAHEIM, CA 92807

BREEN ROBERT AND LAURA  
661 JUSTIN RD  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
915 SUNSET HILL DRIVE  
ROCKWALL, TX 75087



BUILDING WILL BE CONSTRUCTED USING 2x4 FRAMING (16" ON CENTER)  
WITH SMART SIDING OUTER PANELING.

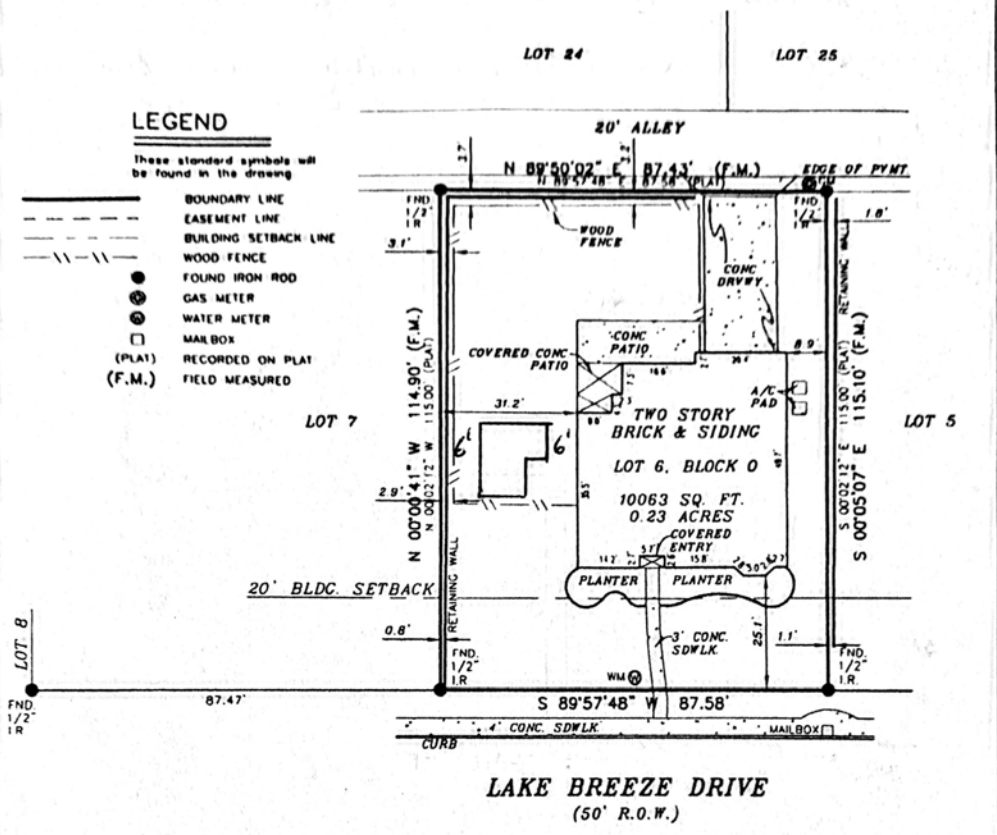
THE ROOF WILL BE A METAL STANDING SEAM ROOF OVER OSB PLYWOOD  
SHEETING AND 3016 ROOFING FECT.

THE ROOF TRUSSES WILL BE CONSTRUCTED WITH A 2x12x15 LVL RIDGE  
BEAM AND 2x6 RAFTERS 16" ON CENTER USING RAFTER HANGERS.

THE STRUCTURE WILL CONNECT TO THE CONCRETE SLAB USING PRESSURE  
TREATED LUMBER AND  $\frac{1}{2}$ " x 5" SLEEVE ANCHORS.

THE GARAGE DOOR WILL BE ROLL-UP WIND RATED DOOR (8'x7') AND THERE  
WILL BE A STANDARD 3'x7' EXTERIOR DOOR.

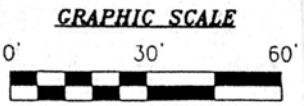




**LEGAL DESCRIPTION**  
 BEING LOT 6, BLOCK 0 OF HILLCREST SHORES,  
 AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY,  
 TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN  
 CABINET C, SLIDE 199, PLAT RECORDS, ROCKWALL COUNTY,  
 TEXAS.

**FLOOD INSURANCE NOTE:** By graphics plotting only,  
 this property is in ZONE X of the  
 Flood Insurance Rate Map, Community Panel No.  
48397C-0030 L, effective date of SEPTEMBER 26, 2008  
 Exact designations can only be determined by a  
 Elevation Certificate. Based on the above information,  
 this property IS NOT in a Special Flood Hazard Area.

**SURVEYOR'S NOTE:**  
 BASIS OF BEARING, RECORDED  
 PLAT UNLESS OTHERWISE NOTED.



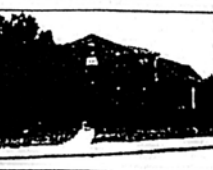
I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas,  
 do hereby certify to HEXTER-FAIR TITLE COMPANY  
 and  
 that the above map is true and correct according to an actual field survey, made by me on the ground or  
 under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further  
 certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except  
 as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent  
 discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way  
 as of the date of the field survey. I further certify that this survey meets or exceeds the  
 minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).  
 Lot(s) 6, Block 0, N.C.B. ---, Survey No. ---, Abstract No. ---  
 Survey or Subdivision: HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL  
 Cabinet C, Slide(s) 199-200, of the Map/Deed and Plat Records of ROCKWALL County, Texas  
 Borrower/Owner: CHARLES M. HUSTON AND KENDALL HUSTON  
 Address: 1748 LAKE BREEZE DRIVE GP No. PL11619416

**FINAL "AS-BUILT" SURVEY**

JOB NO.	1105006367	NO.	REVISION	DATE
DATE:	05/27/11			
DRAWN BY:	UN/HM			
APPROVED BY:	RJR			

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN  
 VOLUME 961, PAGE 176, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS  
 VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS

PROPERTY PHOTOGRAPH



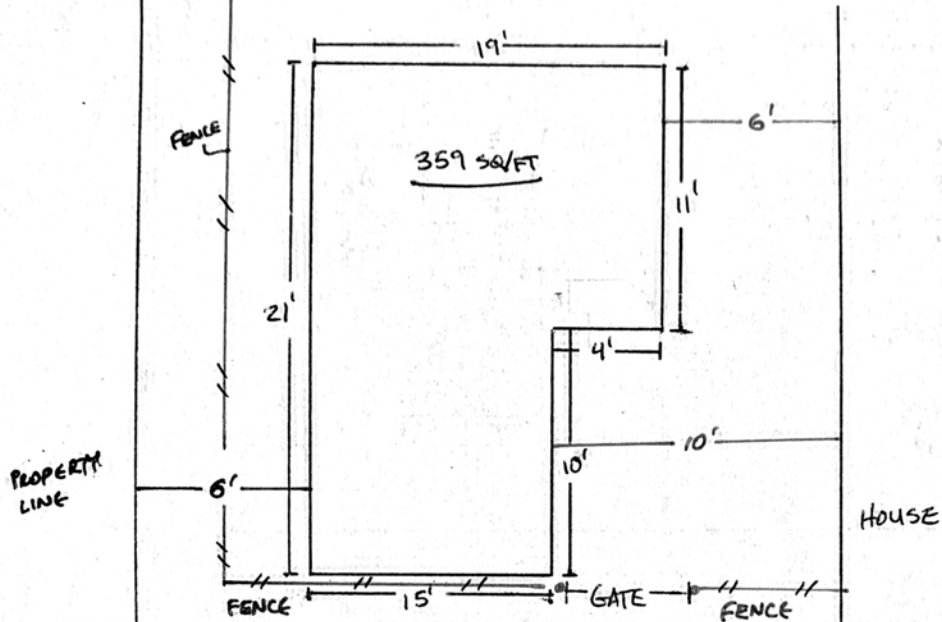
**AMERISURVEYORS, LLC**  
 11711 Warfield Road, San Antonio, Texas 78216  
 Phone (214) 872-0066 Fax (214) 968-9662

**STATE OF TEXAS**  
**REGISTERED**  
**ROY JOHN RONNFELDT**  
**3520**  
**PROFESSIONAL**  
**LAND SURVEYOR**  
 ROY JOHN RONNFELDT, R.P.L.S.  
 Registered Professional Land Surveyor  
 Registration No. 3520



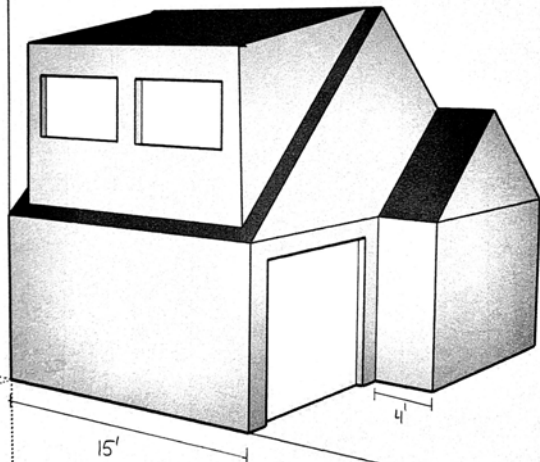
\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS.

\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FOSHEE EMAIL)

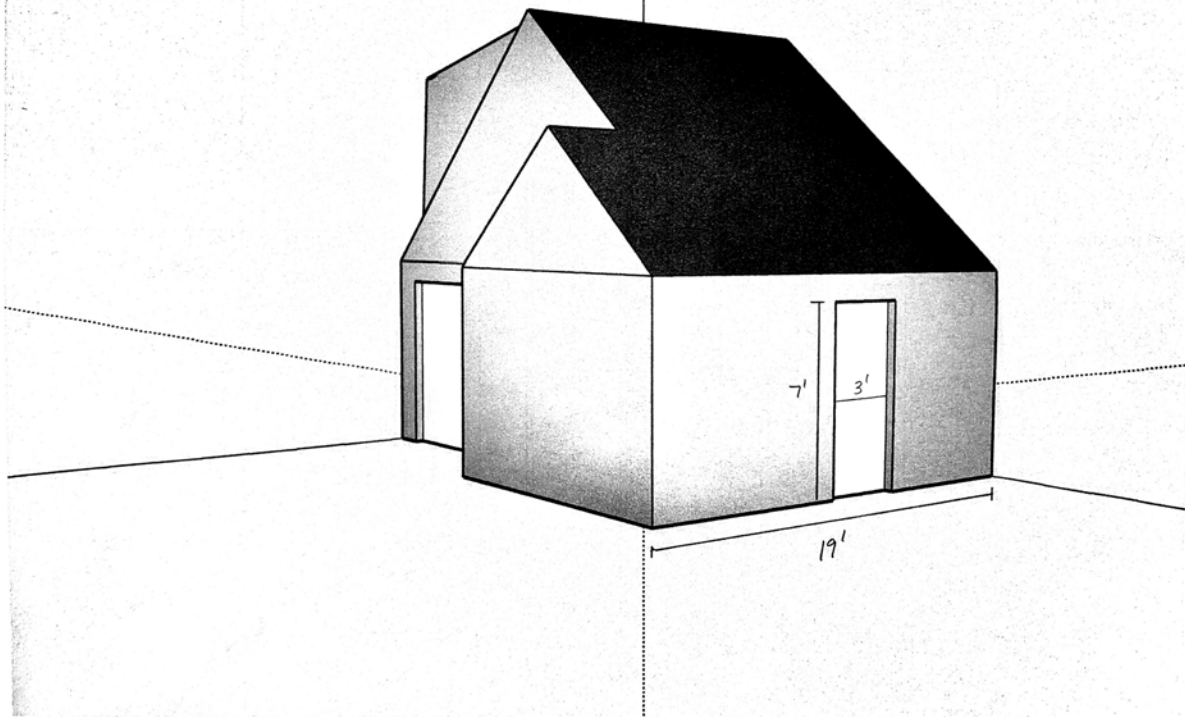


\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

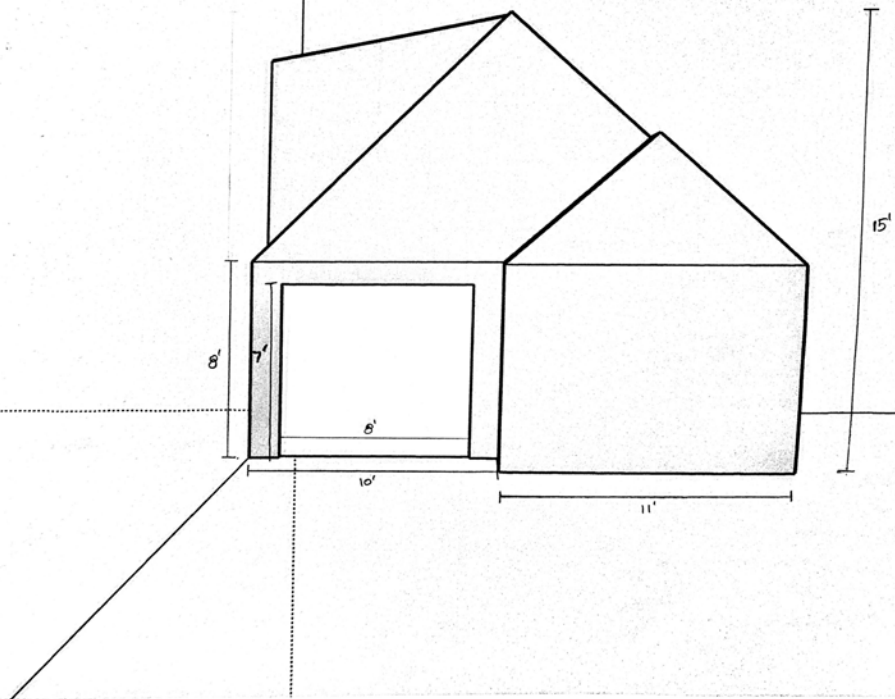






























**CONSTRUCTION CODES – 2015 International Residential Code & 2014 NEC Code and local amendments. ELECTRICAL PERMIT WILL BE REQUIRED FOR ANY NEW INSTALLATIONS. Minimum separation from other structures 6 ft. Maximum height of structure 15 ft. Minimum side setback 6 feet. Minimum rear setback 3 feet. Building is to be built per approved plans from the Planning & Zoning Commission & City Council.**

**For inspection [www.rockwall.com/buildinginspections/inspectionreq.asp](http://www.rockwall.com/buildinginspections/inspectionreq.asp).**

These standard symbols will be found in this drawing:

- BOUNDARY LINE
- - - - EASEMENT LINE
- - - - BUILDING SETBACK LINE
- - - - WOOD FENCE
- FOUND IRON ROD
- GAS METER
- WATER METER
- MANHOLE
- (PLAT) RECORDED ON PLAT
- (F.M.) FIELD MEASURED

**BUILDERS COPY**

Keep On Job Site At All Times  
For Inspection Use

City of Rockwall

Review For Code Compliance

Subject To Field Inspection  
And Code Compliance

09/17/2020 By: C.Foshee 20' BLDG. SETBACK

**LAKE BREEZE DRIVE**  
(50' R.O.W.)

**LEGAL DESCRIPTION**  
BLDG LOT 6, BLOCK 0 OF HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CACKET C, SLIDE 1195, PLAT RECORDS, ROCKWALL COUNTY, TEXAS.

**FLOOD INSURANCE NOTE:** By graphics plotting only, this property is in ZONE AE of the Flood Insurance Rate Map, Community Panel No. 4300000001, effective date of SEPTEMBER 26, 2008. Exact designations can only be determined by a Elevation Certificate. Based on the above information, this property is NOT in a Special Flood Hazard Area.

**SURVEYOR'S NOTE:** BASIS OF RECORD, RECORDED PLAT UNLESS OTHERWISE NOTED.

**GRAPHIC SCALE**  
0' 30' 60'

**CODE COMPLIANCE SUBJECT TO FIELD INSPECTORS APPROVAL**

I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to NEXTER-FAIR TITLE COMPANY and that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.182) Lot(s) 6, Block 0, N.C.B. Survey No. Abstract No. Survey or Subdivision HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL Casket C, Slide 1195-222 of the Map/Deed and Plat Records of ROCKWALL County, Texas Borrower/Owner CHARLES M. HUSTON AND KENDALL HUSTON Address 1748 LAKE BREEZE DRIVE City PLATINUM

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN VOLUME 861, PAGE 176, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS.

**FINAL "AS-BUILT" SURVEY**

JOB NO.	1100008387	NO.	REVISION	DATE
DATE	05/27/11			
DRAWN BY	MLH/MLH			
APPROVED BY	RJR			

7-14-11

**AMERISURVEYORS, LLC**  
10711 International Road - San Antonio, Texas 78249  
Phone: (214) 477-1999 FAX: (214) 477-1999 Email: info@amerisurveyors.com

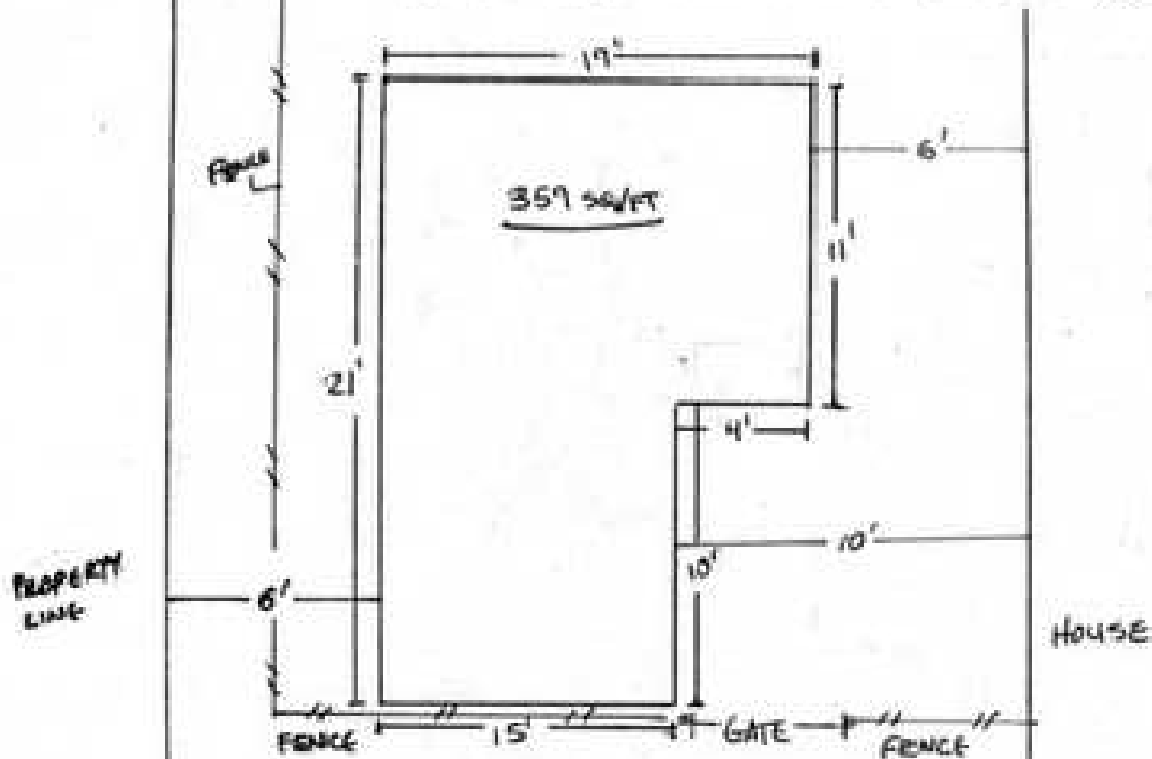
**STATE OF TEXAS**  
**REGISTERED**  
**ROY JOHN RONNFELDT**  
**3520**  
**PROFESSIONAL**  
**LAND SURVEYOR**

*Roy Ronnfeldt*  
ROY JOHN RONNFELDT, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 3520



\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS -

\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE LEAD FENCE EMAIL)



\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

**BUILDERS COPY**

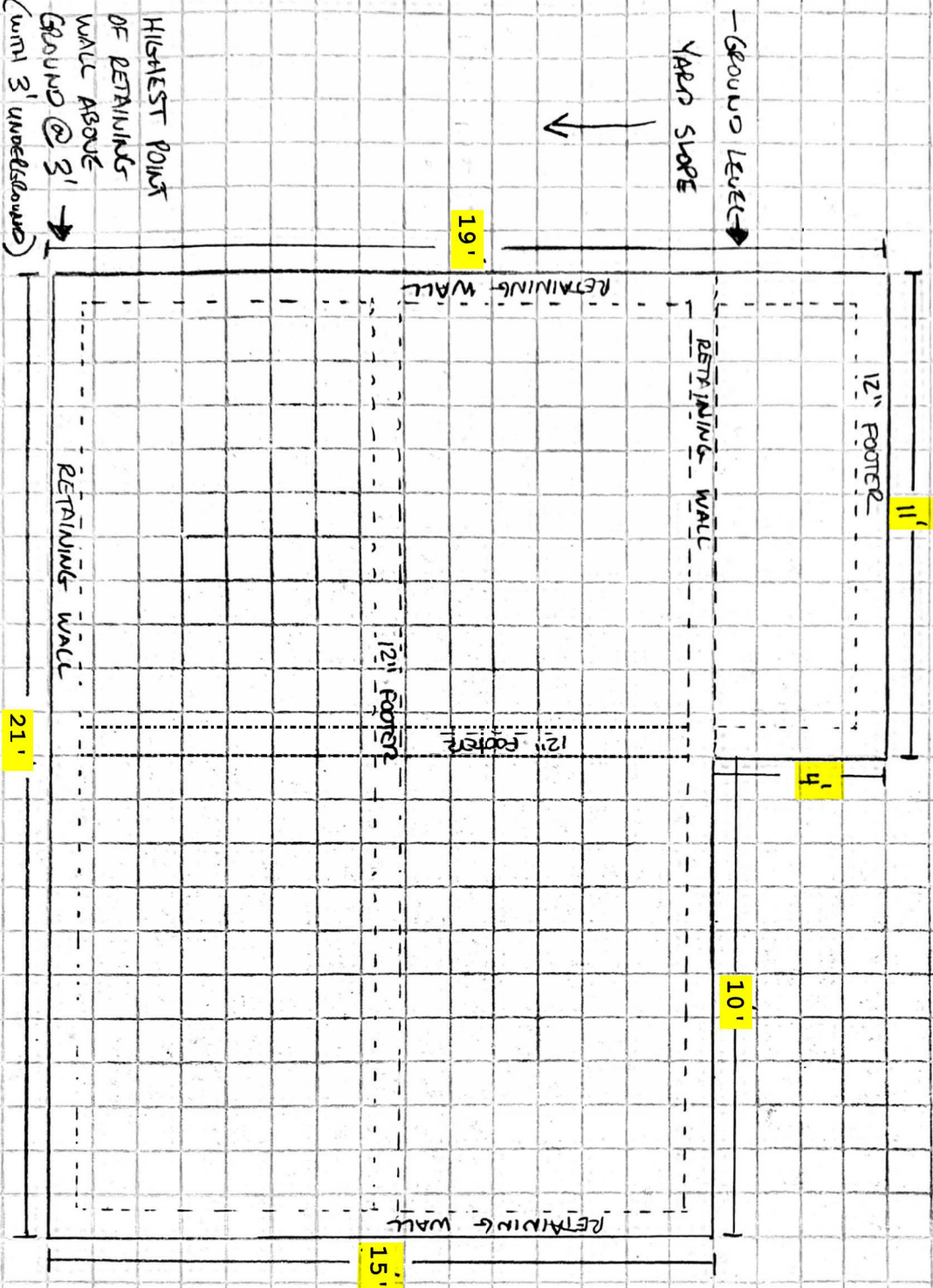
Keep On Job Site At All Times  
For Inspection Use



(SPACED 16" APART FOR SLAB)

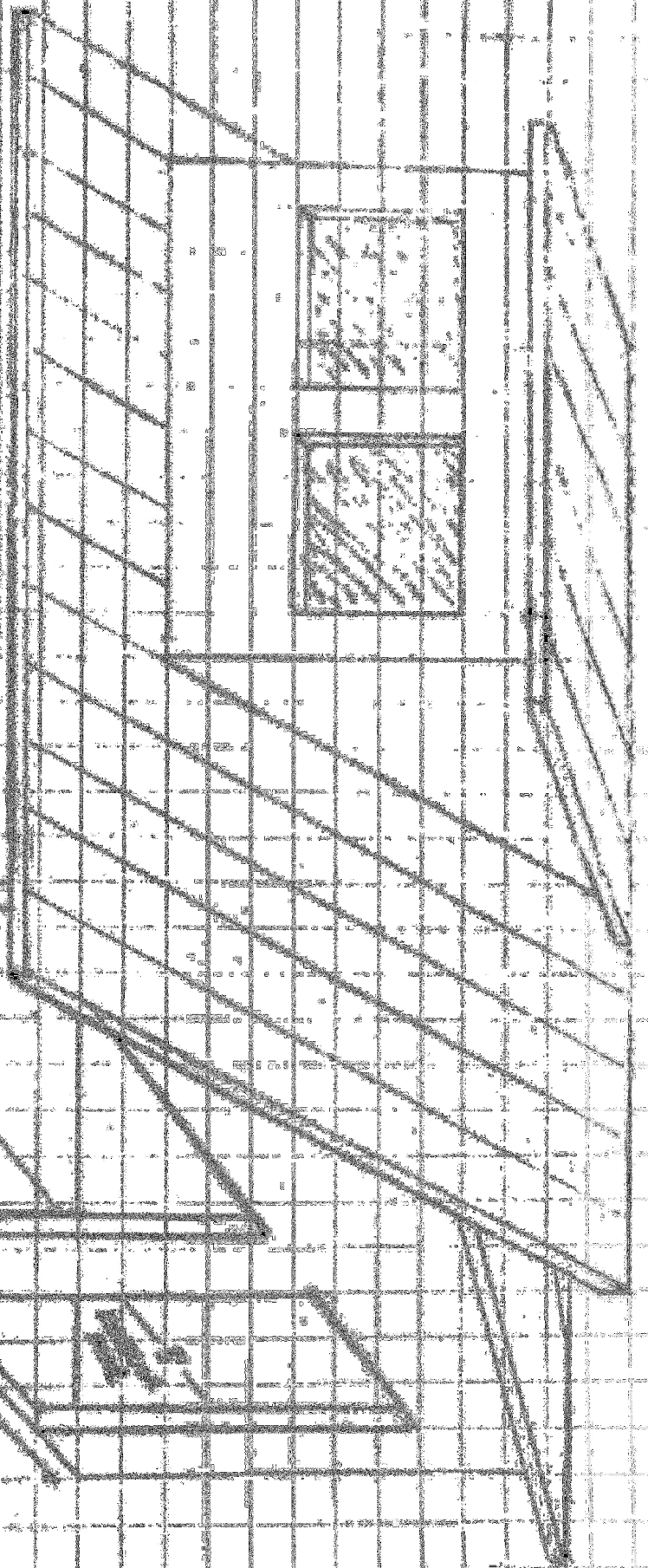
**Keep On Job Site At All Times  
For Inspection Use**

THIS STRUCTURE WILL BE A SOLID CONCRETE RETAINING WALL 12" THICK WITH 1/2" REBAR FRAME CONSTRUCTION CONNECTING THE ENTIRE STRUCTURE (INCLUDING THE 5" THICK CONCRETE PAD ON TOP). THERE WILL BE A 12" FOOTER THROUGH THE MIDDLE OF THE SLAB CONNECTING TO THE RETAINING WALLS ON EITHER SIDE.



THE RETAINING WALL WILL BE 3' UNDER GROUND MOVING WITH THE SLOPE OF MY YARD. IT WILL BE 3' UNDERGROUND AND 3' (6' TOTAL) ABOVE GROUND AT THE LOW SIDE OF MY YARD. IT WILL PARALLEL AN EXISTING 3' RETAINING WALL TO RECEIVE THE LOAD. ALL OF IT WILL BE CONNECTED WITH REBAR AND CONCRETE TO MAKE ONE SOLID STRUCTURE WITH THE CONCRETE PAD ON TOP.





...the ...

**THE**

[illegible][illegible]

THE UNIVERSITY OF CHICAGO PRESS

BUILDERS COPY

**Keep On Job Site At All Times  
For Inspection Use**



**BUILDERS COPY**  
Keep On Job Site At All Times  
For Inspection Use



BUILDING WILL BE CONSTRUCTED USING 2x4 FRAMING (16" ON CENTER) WITH SMART SIDING OUTER PANELING.

THE ROOF WILL BE A METAL STANDING SEAM ROOF OVER OSB PLYWOOD SHEETING AND 3016 ROOFING FECT.

THE ROOF TRUSSES WILL BE CONSTRUCTED WITH A 2x12x15 LVL RIDGE BEAM AND 2x6 RAFTERS 16" ON CENTER USING RAFTER HANGERS.

THE STRUCTURE WILL CONNECT TO THE CONCRETE SLAB USING PRESSURE TREATED LUMBER AND  $\frac{1}{2}$ " x 5" SLEEVE ANCHORS.

THE GARAGE DOOR WILL BE ROLL-UP WIND RATED DOOR (8'x7') AND THERE WILL BE A STANDARD 3'x7' EXTERIOR DOOR.

**BUILDERS COPY**

**Keep On Job Site At All Times  
For Inspection Use**



# SKAGGS ENGINEERING

1018 Meadow Green Court Princeton, TX 75407

[skaggsengineering@yahoo.com](mailto:skaggsengineering@yahoo.com)

Cell: 972.369.2194

## BUILDERS COPY

Keep On Job Site At All Times  
For Inspection Use

August 23, 2020

City of Rockwall  
Building Inspections  
385 S. Goliad Street  
Rockwall, TX

Re: New Workshop Pad/Retaining Walls  
1748 Lake Breeze Drive  
Rockwall, TX

To Whom It May Concern:

I have reviewed the proposed workshop at the above referenced residence. The new workshop will be approximately 400 sf and constructed with wood stud bearing walls and wood rafters. The workshop will be located adjacent to an existing retaining wall along the property line. The workshop will be supported by a 5" concrete slab reinforced with #4 bars @ 16" OC each way and retaining walls on each side. The retaining walls are 12" wide, reinforced with #4 bars @ 16" OC each way, and set 36" into the ground. The walls vary in height and are a maximum of 3'-0" above grade.

After reviewing the information, in my opinion, the retaining walls and slab were constructed in accordance with the 2015 International Residential Code and City of Rockwall requirements. The retaining walls and slab can support the weight of the proposed workshop. The new retaining walls, slab, and proposed workshop will not affect the structural integrity of the existing retaining wall.

If I can be of any further assistance or if there should be any questions, please do not hesitate to call.

Sincerely,

SKAGGS ENGINEERING  
FIRM NUMBER F-12387



Matthew R. Skaggs, P.E.  
Skaggs Engineering



**From:** [Foshee, Craig](#)  
**To:** [Gonzales, David](#); [Miller, Ryan](#)  
**Cc:** [McDowell, Russell](#)  
**Subject:** FW: 1748 Lake breeze  
**Date:** Thursday, April 22, 2021 3:51:25 PM

---

-----Original Message-----

From: Yancey, Jared  
Sent: Thursday, April 22, 2021 3:51 PM  
To: McDowell, Russell <[rmcdowell@rockwall.com](mailto:rmcdowell@rockwall.com)>; Foshee, Craig <[cfoshee@rockwall.com](mailto:cfoshee@rockwall.com)>  
Subject: 1748 Lake breeze

The height on the structure is 15'7" from the backyard height. 19'9" from the existing retaining wall on edge of property.

Square footage is 330 ft.<sup>2</sup> for the downstairs, upstairs square footage is 240ft.<sup>2</sup> as to which the roofline meets the floor of attic area

Jared Yancey  
469-797-3436  
Building Inspections

---

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CITY OF ROCKWALL

ORDINANCE NO. 20-34

SPECIFIC USE PERMIT NO. S-231

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an Accessory Building that exceeds the maximum allowable size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as



heretofore amended and as may be amended in the future --, and with the following conditions:

## **2.1. OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 360 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## **2.2. COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

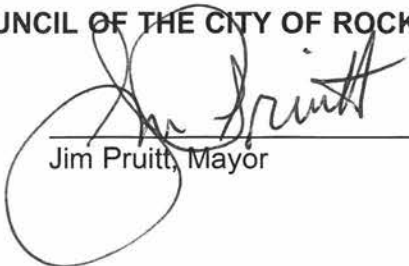
**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.



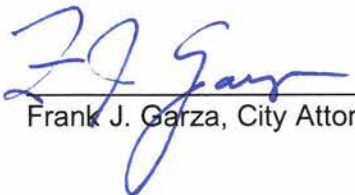
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.

  
\_\_\_\_\_  
Jim Pruitt, Mayor

ATTEST:

  
\_\_\_\_\_  
Kristy Cole, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020





**Exhibit 'A'**  
**Zoning Exhibit**

Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition





Exhibit 'B':  
Site Plan

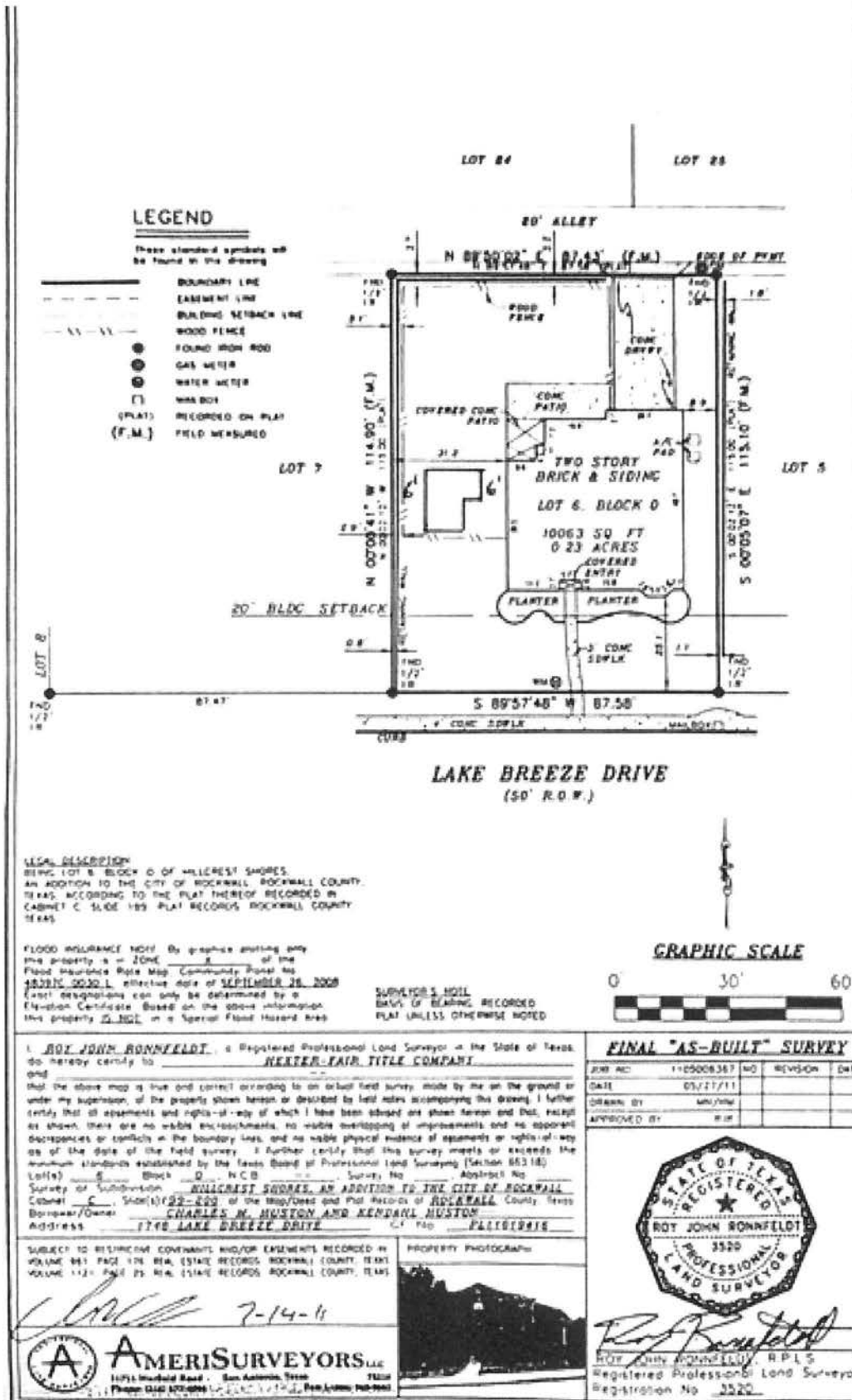
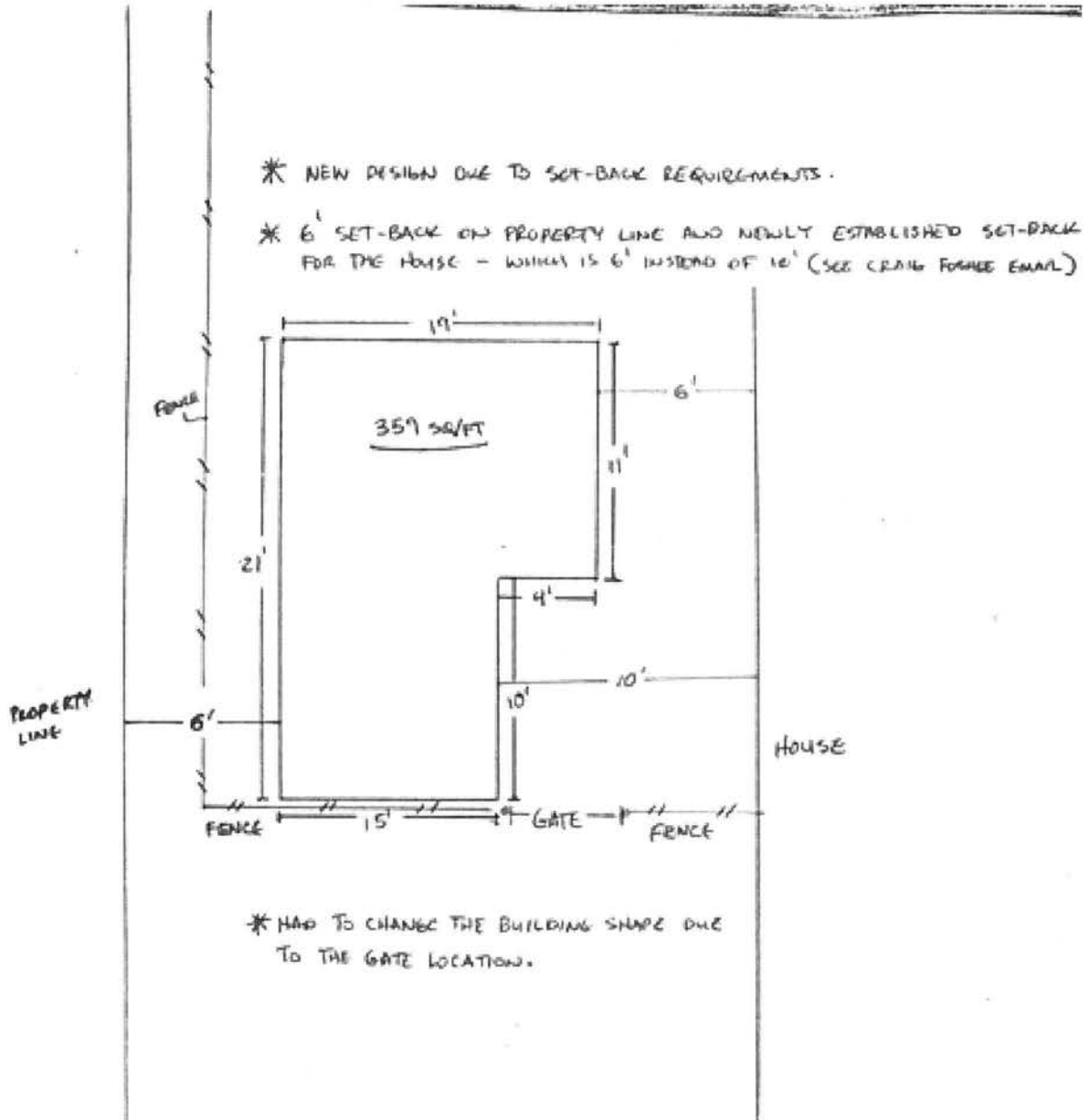


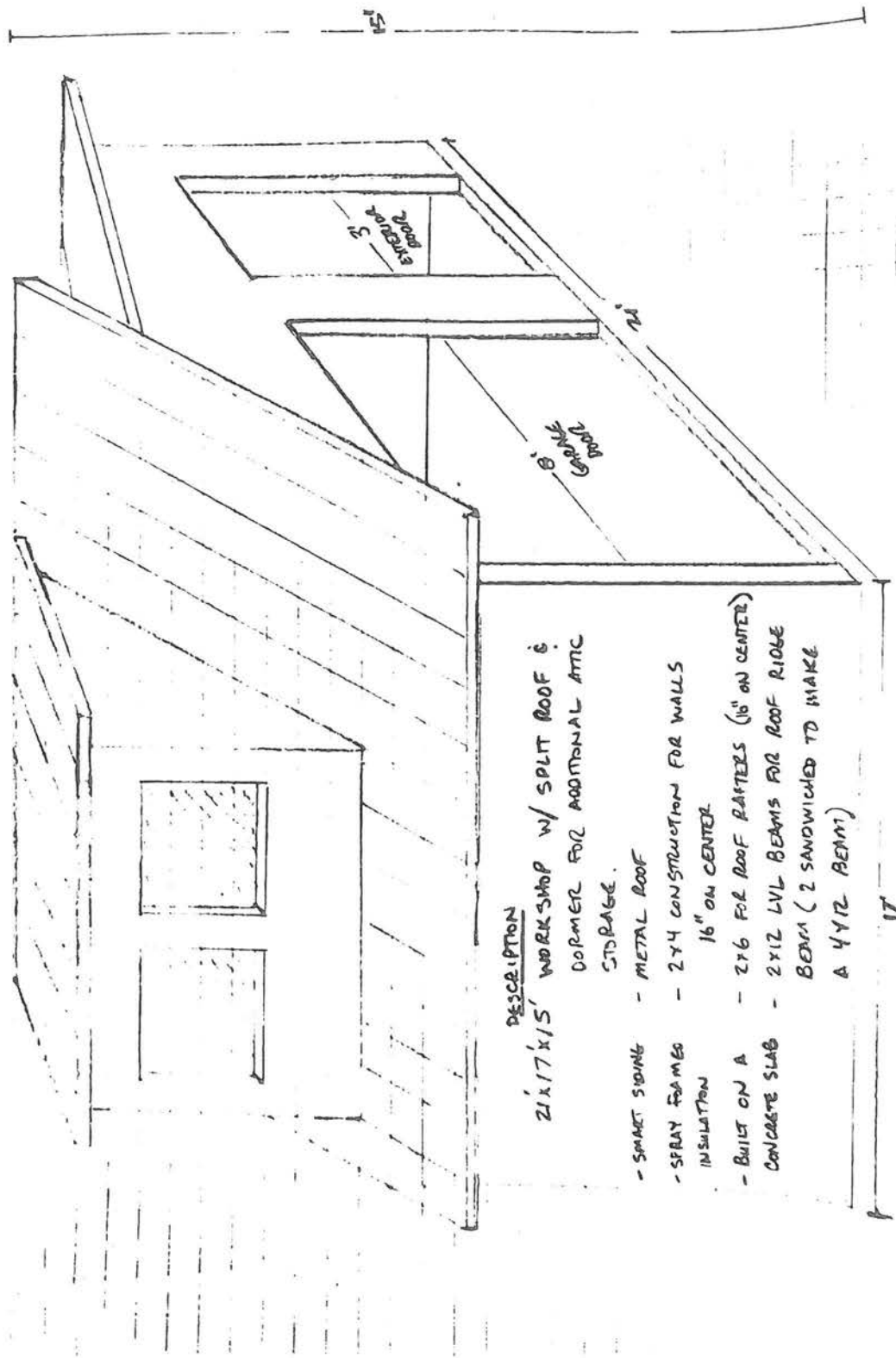


Exhibit 'B':  
Site Plan



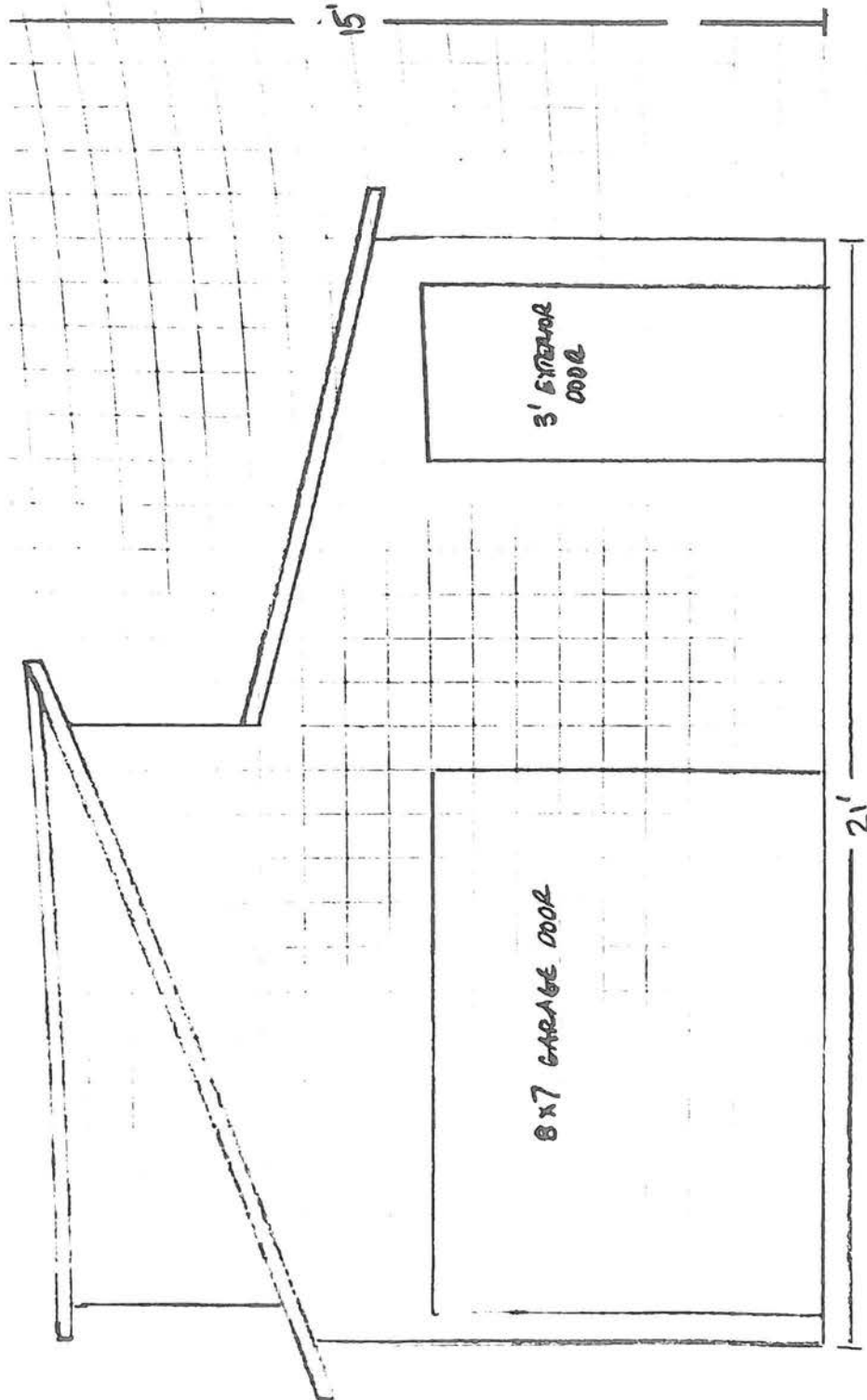


**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*





CITY OF ROCKWALL

ORDINANCE NO. 21-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 11 (PD 11) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE HEIGHT AND SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an *accessory building* that exceeds the maximum allowable height and size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated by *Ordinance No. 20-34 [S-231]*; and,

**SECTION 2.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified



Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 3.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

### 3.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 570 SF (i.e. 330 SF – 1<sup>st</sup> floor & 240 SF – 2<sup>nd</sup> floor).
- (3) The *Accessory Building* shall not exceed a height of more than 19-feet, 9-inches.
- (4) The subject property shall not have more than one (1) accessory building.

### 3.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 5.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the



ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 8.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 7<sup>TH</sup> DAY OF JUNE, 2021.**

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: May 17, 2021

2<sup>nd</sup> Reading: June 7, 2021



**Exhibit 'A'**  
**Zoning Exhibit**

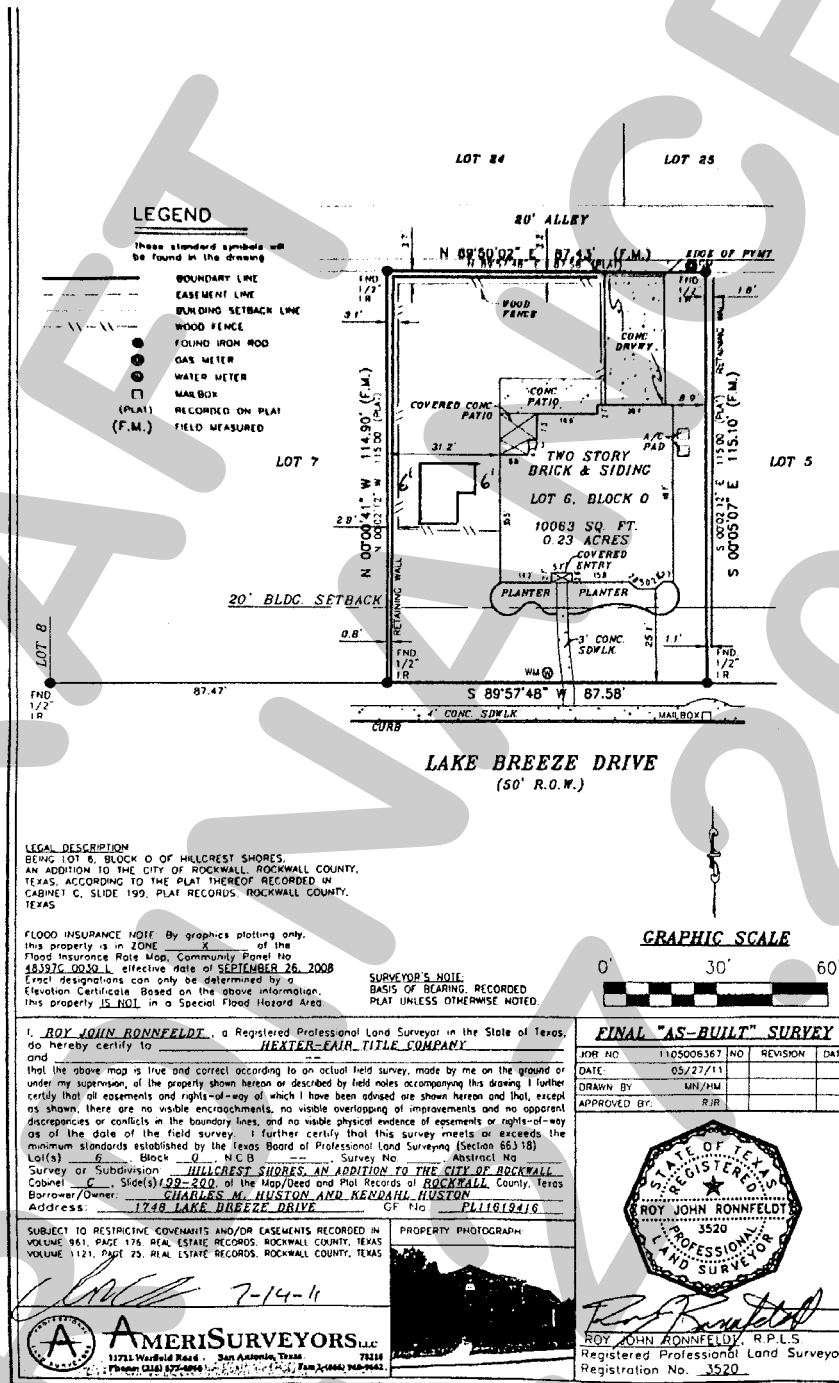
Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition





# Exhibit 'B': Site Plan

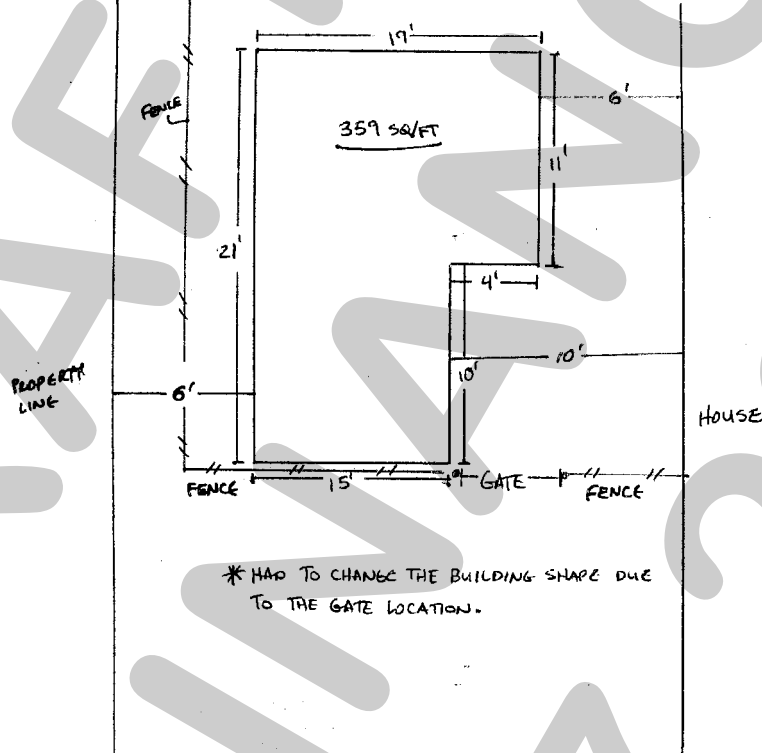




**Exhibit 'B':**  
*Site Plan*

\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS -

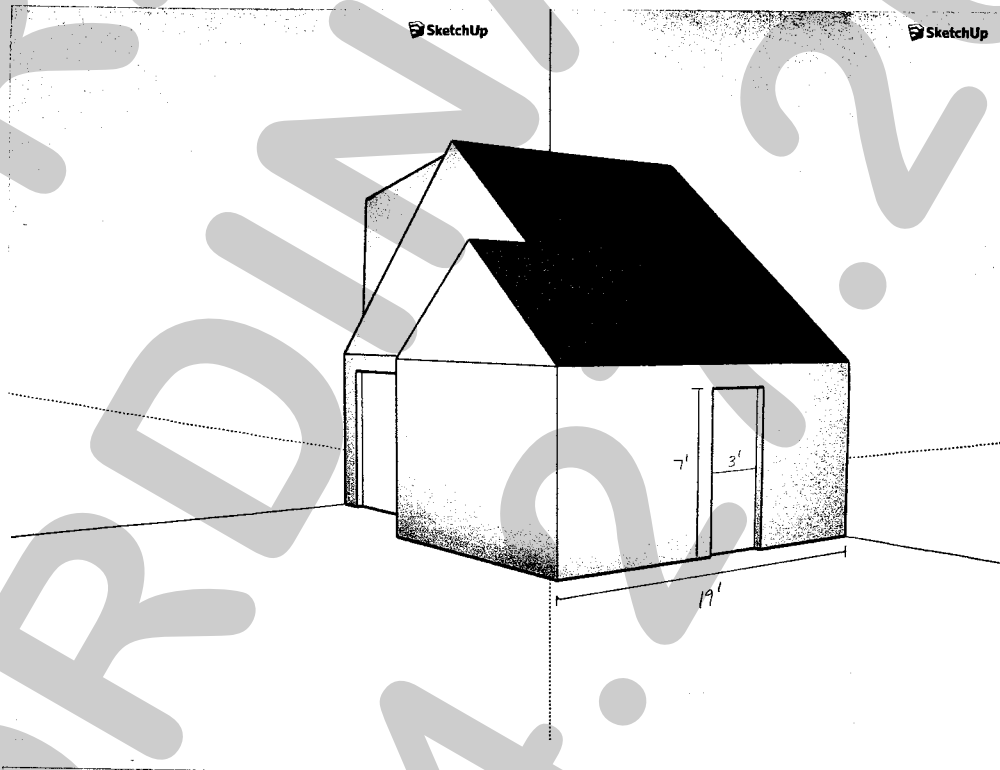
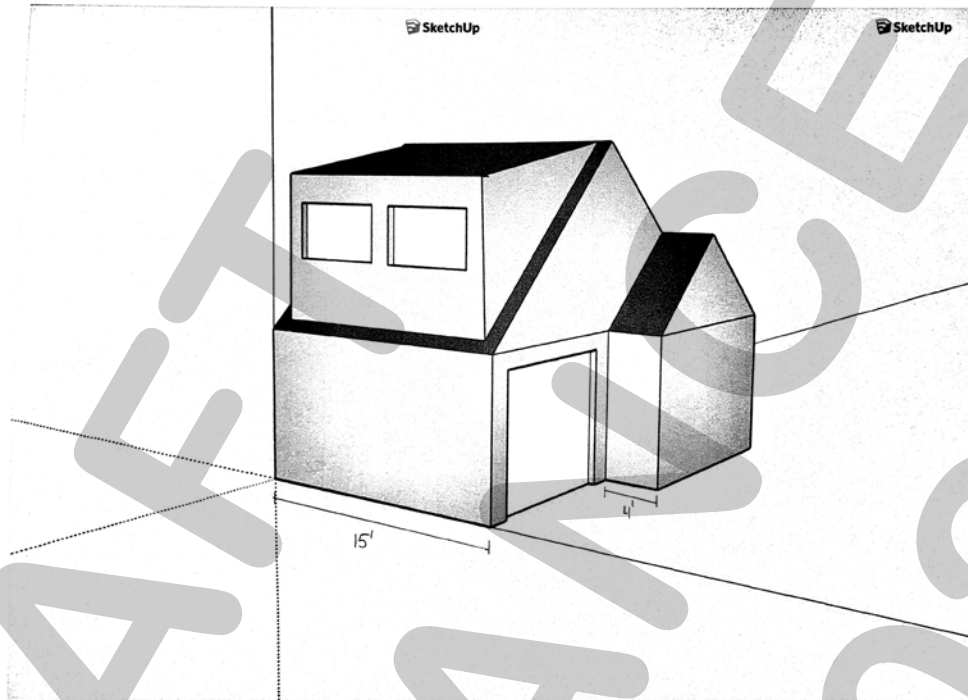
\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FORBEE EMAIL)



\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

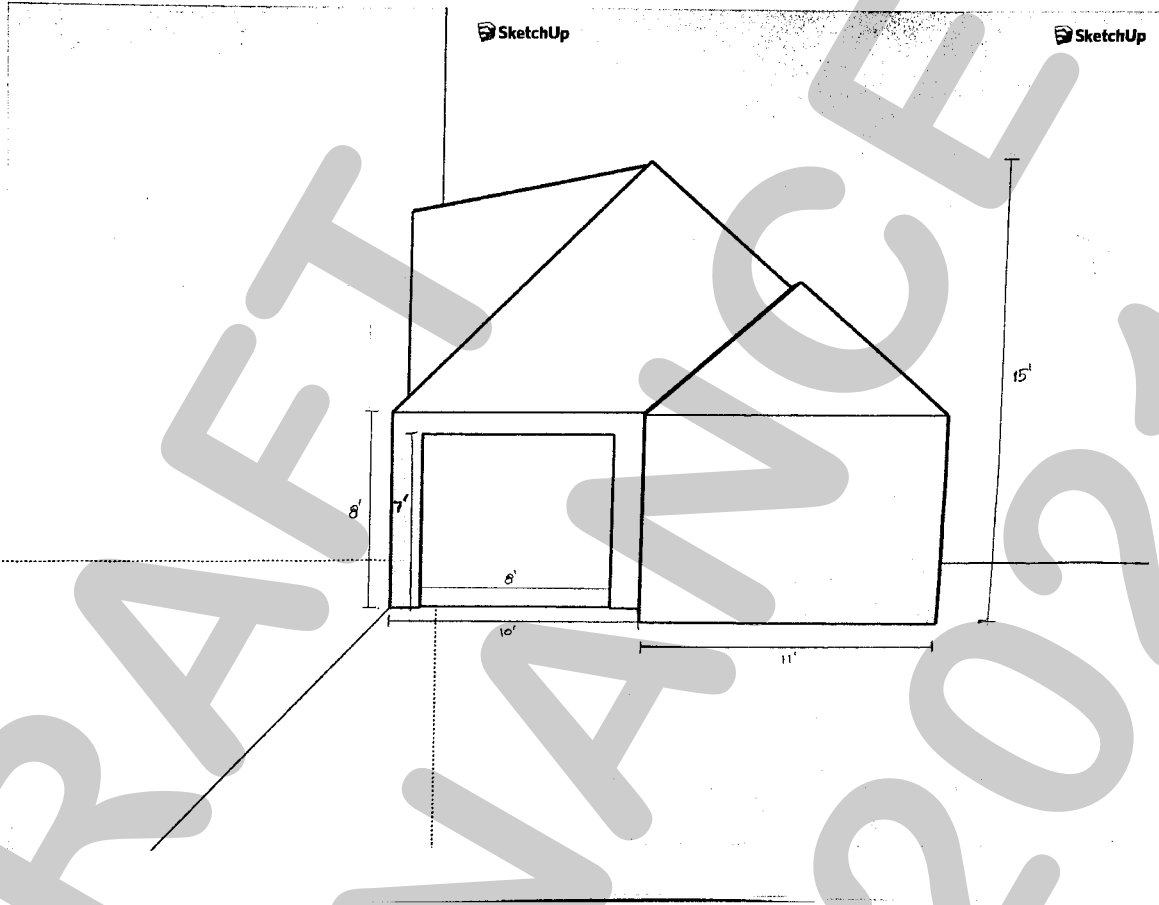


**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*







## CITY OF ROCKWALL

### PLANNING AND ZONING COMMISSION CASE MEMO

#### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Planning and Zoning Commission

**DATE:** May 11, 2021

**APPLICANT:** Mark Klecha

**CASE NUMBER:** Z2021-010; *Specific Use Permit for an Accessory Building at 1748 Lake Breeze Drive*

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#### SUMMARY

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) superseding *Ordinance No. 20-34* and allowing an accessory building that does not conform to *S-231 [Ordinance No. 20-34]* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

#### BACKGROUND

The subject property was originally annexed into the City of Rockwall on February 6, 1961 by *Ordinance No. 61-02*. According to the City's historic zoning maps the subject property was zoned Multi-Family 1 (MF-1) District as of January 3, 1972. By May 16, 1983, this designation had changed to Planned Development District 11 (PD-11) [*Ordinance No. 80-13*] for Single-Family 2 (SF-2) District land uses. On June 7, 1993, *Ordinance No. 93-11* changed the designation of the subject property within Planned Development District 11 (PD-11) to an area designated for Single-Family 10 (SF-10) District land uses [*Case No. PZ1993-020-01*]. The subject property was platted as Lot 6, Block O, Hillcrest Shores Addition on August 12, 1993 by *Case No. PZ1993-030-01*. According to the Rockwall Central Appraisal District (RCAD), situated on the subject property is a 2,649 SF single-family home that was constructed in 1995.

On July 16, 2020, the applicant -- *Mark Klecha* -- submitted an application requesting a Specific Use Permit (SUP) [*Case No. Z2020-030*] for an accessory building that was to exceed the maximum permissible size for an accessory structure. This application was required by the Building Inspections Department after the applicant began constructing a fence, concrete slab and retaining wall without receiving the proper building permits. Staff should note that the applicant did request the building permits [*i.e. BLD2020-0824, BLD2020-0951, BLD2020-0952, and RES2020-1870*], but commenced construction prior to being issued the approved building permits. The proposed accessory building was approved by the City Council on September 8, 2020 [*i.e. Ordinance No. 20-34, SUP No. S-231*] and allowed the construction of an accessory building that exceeded the maximum permissible size by 215 SF. As part of this approval, the applicant agreed to adhere to the following operational conditions, which were approved by the City Council and incorporated into the Specific Use Permit (SUP) ordinance: [1] the accessory building was to conform to the conceptual building elevations, [2] the accessory building was to be a maximum size of 360 SF, and [3] the applicant would only be permitted to have one (1) accessory building on the property. In addition, the applicant also agreed to: [1] remove existing accessory structure on the subject property, and [2] provide a letter from a structure engineer certifying that the recently built retaining wall was built to hold the weight of the accessory building, and that the retaining wall posed no structural risk to the existing three (3) foot retaining wall on the adjacent property. Staff should note that Mr. Klecha did remove the accessory building and provide the requested engineers letter.

Following the approval of the Specific Use Permit (SUP), the applicant was issued a building permit [*i.e. Permit No. RES2020-1870*] on October 26, 2020. The approved building permit (*provided in the attached packet*) specifically stated the applicable construction codes required to build the accessory building, minimum separation from other structures, maximum height for accessory buildings, and the minimum setbacks required for the construction of the accessory building. Additionally, the building permit included a statement that stated that the "... building is to be built per approved plans from the Planning & Zoning Commission & City Council ... ", and included a copy of the approved site plan and building elevations for reference. These were the same plans that were provided by Mr. Klecha, and that were incorporated into the Specific Use Permit (SUP)



ordinance [i.e. Ordinance No. 20-34]. A copy of the approved ordinance was also sent to Mr. Klecha with the approval letter from the Specific Use Permit (SUP) case.

Upon inspection of the accessory building by Building Inspection Department, it was noted that the accessory building was not built in compliance with the approved building permit or Specific Use Permit (SUP) ordinance. Specifically, the building inspector noted that the accessory building exceeded the maximum height requirements of 15-feet, a second floor had been incorporated into the structure increasing the square footage of the building, and the building elevations were different from the approved building elevations. In addition, Mr. Klecha had constructed a temporary accessory building on the east side of the property attached to the primary structure. Based on these improvements, the Building Inspector issued Mr. Klecha a *Stop Work Order*, referred him back to the Planning Department, and instructed him to file an application to amend his Specific Use Permit (SUP). Mr. Klecha was also told that he would have to remove the unpermitted accessory building on the east side of the subject property, which was completed prior to the Planning and Zoning Commission Work Session meeting on April 27, 2020.

## **PURPOSE**

The property owner and applicant -- *Mark Klecha* -- is requesting the approval of a Specific Use Permit (SUP) that would [1] supersede *Ordinance No. 20-34* [i.e. *SUP No. S-231*] and [2] allow a two (2) story accessory building that exceeds the maximum permissible height and square footage stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

## **ADJACENT LAND USES AND ACCESS**

The subject property is addressed as 1748 Lake Breeze Drive. The land uses adjacent to the subject property are as follows:

*North:* Directly north of the subject property is an alleyway followed by the remainder of the Hillcrest Shores Subdivision, which consists of 67 single-family residential homes on 22.17-acres. Beyond this is Bayhill Drive, which is identified as a R2 (i.e. *residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown 2040 Vision Comprehensive Plan. North of this roadway is the Hillcrest Shores, Phase 2 Subdivision, which consists of 113 single-family residential homes on 53.24-acres. All of these properties are zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses.

*South:* Directly south of the subject property is Lake Breeze Drive, which is identified as a R2 (i.e. *residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the remainder of the Hillcrest Shores Subdivision. South of this is the Northshore, Phase 2B Subdivision, which consists of 76 single-family residential homes on 25.04-acres. This subdivision is zoned Single-Family 10 (SF-10) District.

*East:* Directly east of the subject property is the remainder of the Hillcrest Shores Subdivision followed by N. Lakeshore Drive, which is identified as a M4D (i.e. *major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This area is zoned Planned Development District 11 (PD-11) for Single Family 10 (SF-10) District land uses. Beyond this is the Preserve, Phase 2 Subdivision, which consists of 82 single-family residential lots on 33.02-acres. This property is zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses.

*West:* Directly west of the subject property is the remainder of the Hillcrest Shores Subdivision, which is zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District. Beyond this is the *Lake Ray Hubbard Takeline* followed by the corporate limits of the City of Rockwall. Beyond this is Lake Ray Hubbard.

## **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, letter, and updated drawings requesting to permit an existing 570 SF (i.e. *330 SF first floor and 240 SF second floor*) accessory building. Per the drawings provided by the applicant (*and the pictures taken by the Building Inspections Department*) the accessory building has a pitched/shed roof, and stands a total of 16-feet, 6-inches in height. The exterior of the accessory building is clad in a composite siding (i.e. *smart siding*), and the roof is constructed with



a composite shingle similar to that of the primary structure. The proposed building is situated on the side of the property, adjacent to the western property line, behind an existing eight (8) foot board-on-board wood fence.

### **CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family 10 (SF-10) District allows a total of two (2) accessory buildings each being 144 SF in size or one (1) accessory building at 144 SF in size and one (1) detached garage at 625 SF in size. In addition, accessory buildings are limited to a maximum height of 15-feet and a minimum setback of three (3) feet from the rear property line and six (6) feet from the side property line. In addition, accessory buildings are required to have a minimum of six (6) feet of separation from any other primary or accessory structure. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)."

### **STAFF ANALYSIS**

In this case, the applicant's request does not conform to the Specific Use Permit [*i.e. Ordinance No. 20-34, SUP No. S-231*] that was approved by the City Council on September 8, 2020, nor the building permit [*i.e. Permit No. RES2020-1870*] that was issued to Mr. Klecha. The applicant has exceeded the maximum height for an accessory structure by one (1)-foot, six (6)-inches (*i.e. 16'6" Overall Height*), has increased the allowable square footage by 210 SF (*i.e. Total Square Footage = 570 SF*), and has added a second floor to the accessory structure. It should be noted that according to Subsection 07.04(9), *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)wo (2) story accessory buildings or structures shall be prohibited." Approval of this request would effectively revoke *Ordinance No. 20-34 [i.e. SUP No. S-231]* and establish operational conditions consistent with what was actually constructed by the applicant. With this being said, the approval of this Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Staff should note that the Planning and Zoning Commission and City Council have the ability to [1] approve the request, [2] deny the request (which would require the applicant to modify the building to conform to the current Specific Use Permit [SUP] ordinance), or [3] deny the request and direct staff to begin revocation of the existing Specific Use Permit (SUP) ordinance (which would require the applicant to remove the structure). Regardless of the Planning and Zoning Commission and City Council's action the applicant will need to modify the structure to remove the connection of the roofline to the fence, and to also conform to the International Building Code (IBC) -- *which it currently does not conform*.

### **NOTIFICATIONS**

On April 27, 2021, staff mailed 96 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Hillcrest at the Shores and the Preserve Homeowner's Associations (HOA's), which are the only HOA/Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) Two (2) property owner notifications from property owners within the notification area (*i.e. within the 500-foot buffer*) opposed to the applicant's request.
- (2) One (1) property owner notification from property owners within the notification area (*i.e. within the 500-foot buffer*) in favor of the applicant's request.

### **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to revoke *Ordinance No. 20-34* and approve Specific Use Permit (SUP) for a two (2) story accessory building exceeds the maximum permissible size and height for accessory buildings, then staff would propose the following conditions of approval:



- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
  - (b) The *Accessory Building* shall not exceed a maximum size of 570 SF (i.e. 330 SF – 1<sup>st</sup> floor & 240 SF – 2<sup>nd</sup> floor).
  - (c) The *Accessory Building* shall not exceed a height of more than 16-feet, 6-inches.
  - (d) The *Accessory Building* shall not be used as a guest quarters/secondary living unit.
  - (e) The subject property shall not have more than one (1) accessory building.
- (2) The applicant will be required face the existing smooth face concrete retaining wall in rock or stone.
- (3) Any construction resulting from the approval of this Specific Use Permit (SUP) 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.





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING ☐ ZONING CASE NO. 22021-010

**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) <sup>1</sup>
- ☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- ☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- ☐ REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>
- ☐ AMENDING OR MINOR PLAT (\$150.00)
- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

### SITE PLAN APPLICATION FEES:

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>
- ☒ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

### ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1</sup>
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

### OTHER APPLICATION FEES:

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

### 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.

## PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS 1748 LAKE BREEZE DR.

SUBDIVISION Hillcrest Shores

LOT 6 BLOCK 0

GENERAL LOCATION 1748 Lake Breeze

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

CURRENT ZONING PD-11

CURRENT USE Residential

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

PROPOSED USE Residential

ACREAGE 0.2297

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 MARK KLECHA

☐ APPLICANT

SAME

CONTACT PERSON

CONTACT PERSON

ADDRESS 1748 LAKE BREEZE DR.

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE & ZIP

PHONE (402) 315-8387

PHONE

E-MAIL markklecha@hotmail.com

E-MAIL

## NOTARY VERIFICATION [REQUIRED]

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

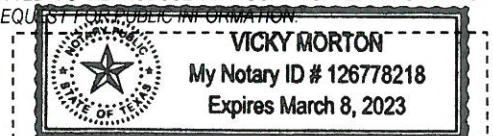
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16th DAY OF April, 20 21. BY SIGNING THIS APPLICATION, 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 16 DAY OF April, 20 21

OWNER'S SIGNATURE Mark Klecha

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton



MY COMMISSION EXPIRES March 8, 2023

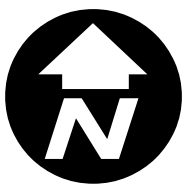




## City of Rockwall

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



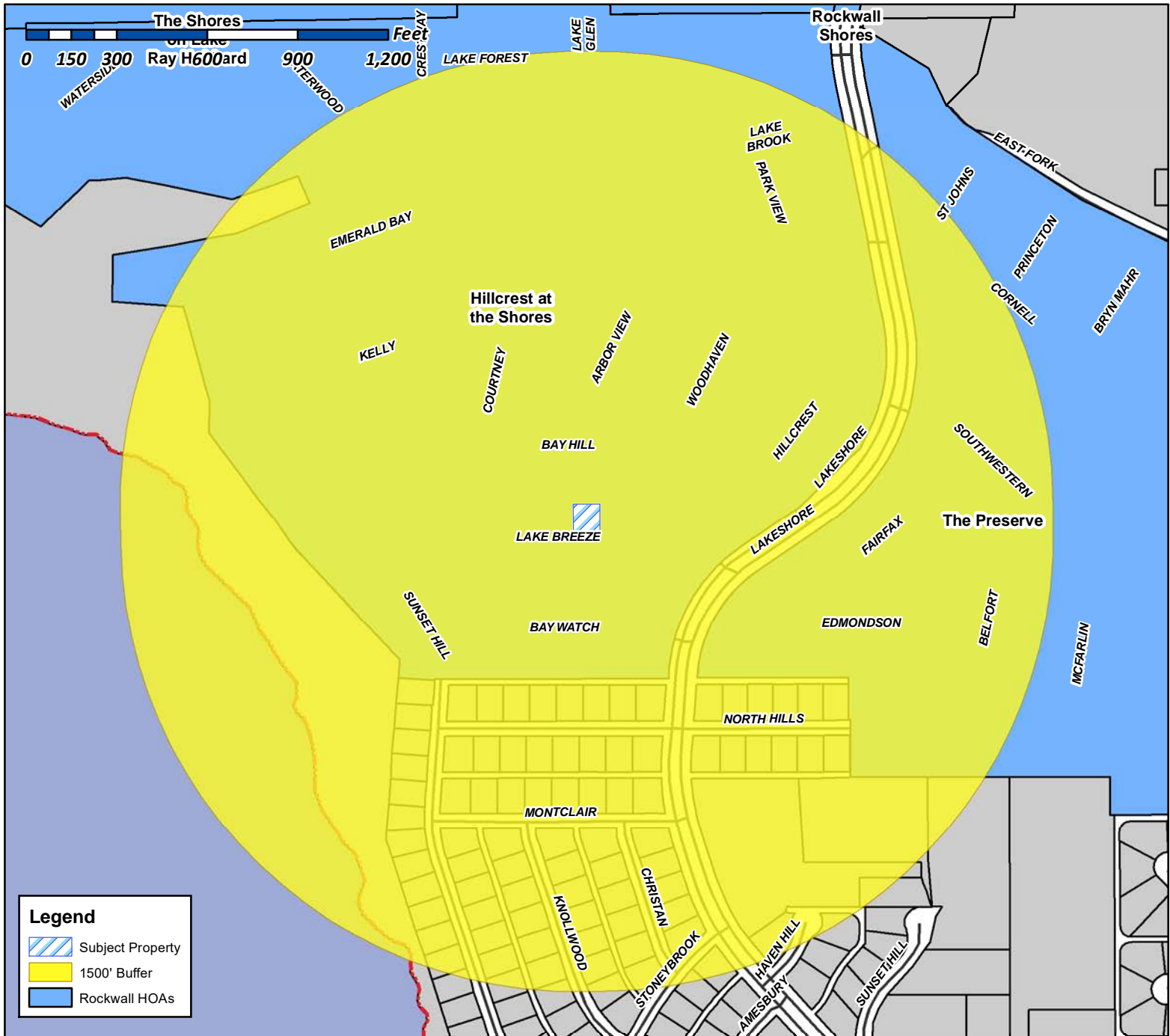




# City of Rockwall

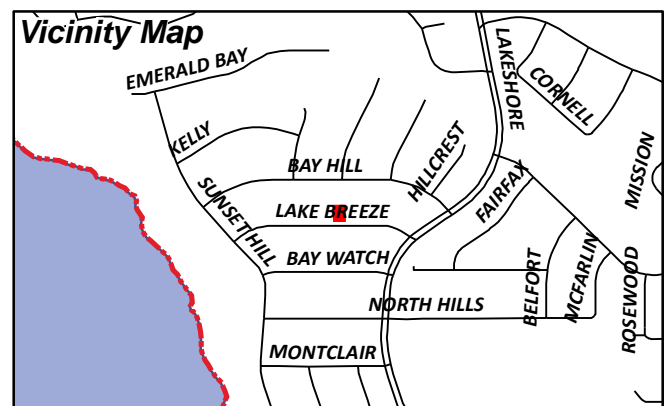
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2021-010  
**Case Name:** SUP for Accessory Structure  
**Case Type:** Zoning  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 4/16/2021  
**For Questions on this Case Call** (972) 771-7745





## Gonzales, David

---

**From:** Gamez, Angelica  
**Sent:** Friday, April 23, 2021 3:34 PM  
**Cc:** Miller, Ryan; Gonzales, David; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2021-010]  
**Attachments:** Public Notice (04.27.2021).pdf; HOA Map Z2021-010.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on April 23, 2021. The Planning and Zoning Commission will hold a public hearing on Tuesday, May 11, 2021 at 6:00 PM, and the City Council will hold a public hearing on Monday, May 17, 2021 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### Z2021-010 SUP for Accessory Structure

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) superseding Ordinance No. 20-34 and allowing an accessory building that does not conform to S-231 [Ordinance No. 20-34] on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator  
City of Rockwall  
972.771.7745 Office  
972.772.6438 Direct  
<http://www.rockwall.com/planning/>

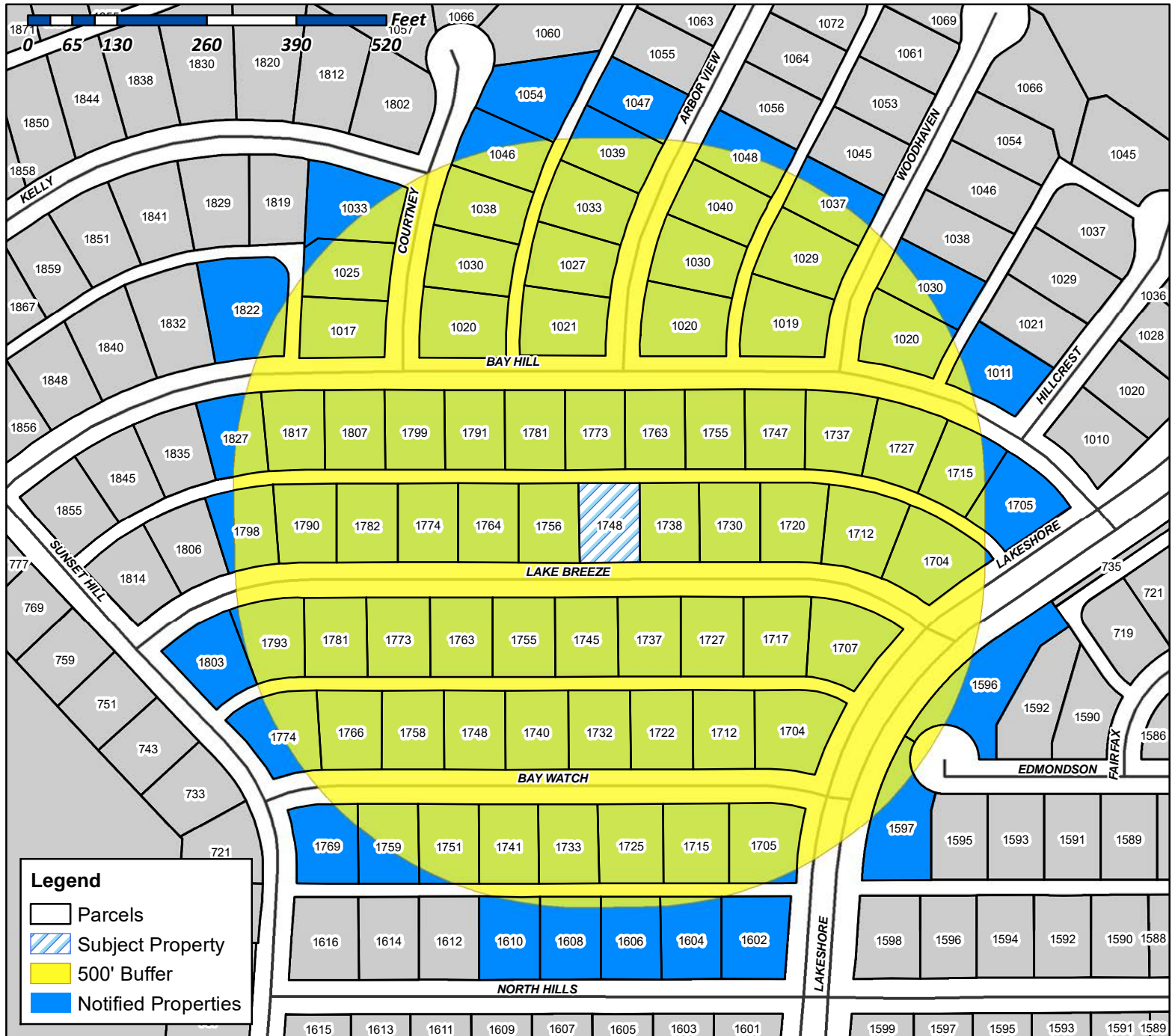




# City of Rockwall

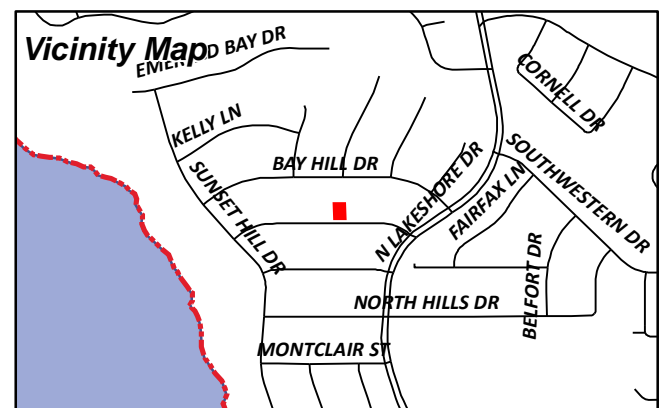
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2021-010  
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**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 4/16/2021  
**For Questions on this Case Call** (972) 771-7745





 = RESPONSE RECEIVED

MATHIAS ERIC J & ROBIN A  
1011 HILLCREST CIR  
ROCKWALL, TX 75087

ANDERSON SALLY LESIL & STEVE  
1017 COURTNEY CIRCLE  
ROCKWALL, TX 75087

BAUCHMAN NANCY  
1019 WOODHAVEN CIR  
ROCKWALL, TX 75087

DORN KEITH  
1020 ARBOR VIEW PL  
ROCKWALL, TX 75087

SANDMAN DAVID & VALERIE  
1020 COURTNEY CIR  
ROCKWALL, TX 75087

HAUER MELVIN C & VIRGINIA L  
1020 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

LOGAN WINFRED BART & TRACEY  
1021 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAURHOFF MARGARET L AND  
MICHAEL J VEREB  
1025 COURTNEY CIRCLE  
ROCKWALL, TX 75087

WEBER MATTHEW J AND THERESA M  
1027 ARBOR VIEW PL  
ROCKWALL, TX 75087

HOVERMAN BRYAN AND KELLIE  
1029 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

BENAVIDES RAPHAEL G & MARY A  
1030 ARBOR VIEW PL  
ROCKWALL, TX 75087

MULLINAX STEVE WAYNE & DEBBIE S  
1030 COURTNEY CIR  
ROCKWALL, TX 75087

CORRIGAN DERRICK & STEFANIE  
1030 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

ABRAMSKY SAMUEL & CHRISTI  
1033 ARBOR VIEW PL  
ROCKWALL, TX 75087

FLEMING ERIC AND DEIDRE  
1033 COURTNEY CIR  
ROCKWALL, TX 75087

WARD PATRICK C  
1037 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

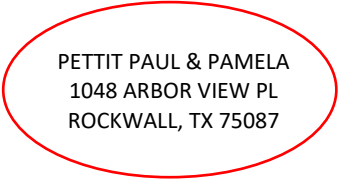
BEATY SUSAN J  
1038 COURTNEY CR  
ROCKWALL, TX 75087

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO., LTD  
1039 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAY RICHARD A & LISA A  
1040 ARBOR VIEW PL  
ROCKWALL, TX 75087

SMETANA JOSEPH JR & ANGEL P  
1046 COURTNEY CIR  
ROCKWALL, TX 75087

RESTER J TREVER & MICHELLE  
1047 ARBOR VIEW PL  
ROCKWALL, TX 75087



PETTIT PAUL & PAMELA  
1048 ARBOR VIEW PL  
ROCKWALL, TX 75087

WRIGHT LARRY G & JENNIFER  
1054 COURTNEY CIRCLE  
ROCKWALL, TX 75087

MATHIAS ERIC J & ROBIN A  
1514 MALLARD HVN  
SAN ANTONIO, TX 78260

LAGRANGE DONALD AND AMY C  
1596 EDMONDSON TRAIL  
ROCKWALL, TX 75087

JONES LALANII  
1597 EDMONDSON TRAIL  
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP  
1602 NORTH HILLSDR  
ROCKWALL, TX 75087

KLUTTS BEN A JR & JULIE C  
1604 N HILLS DR  
ROCKWALL, TX 75087

WATSON MATTHEW W & JAMIE D  
1606 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

CONNALLY DAVID & VICKIE  
1608 N HILLS DR  
ROCKWALL, TX 75087



CONFIDENTIAL  
1610 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

JOHNSON CLARENCE R & CASANDRA L  
1704 BAY WATCH DR  
ROCKWALL, TX 75087

SIMS DAVID E AND ANITA L  
1704 LAKE BREEZE DR  
ROCKWALL, TX 75087

LYNCH CHRISTOPHER J  
1705 BAY WATCH DRIVE  
ROCKWALL, TX 75087

RYAN JEFFREY & DARLA  
1705 BAYHILL DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1707 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PAULSEN LOGAN & BRANDI A  
1712 BAY WATCH DRIVE  
ROCKWALL, TX 75087

VAUGHN STEPHEN MICHAEL  
1712 LAKE BREEZE DR  
ROCKWALL, TX 75087

WHITAKER MARTIN & DORIS  
1715 BAY WATCH DR  
ROCKWALL, TX 75087

REPMAN MARK &  
MICHELLE BASTIDAS  
1715 BAYHILL DR  
ROCKWALL, TX 75087

TAYLOR MICHAEL JOSEPH JR AND HEATHER L  
1717 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PEDDIE STACIE  
1720 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

KEETON KENNETH W & REBECCA  
1722 BAY WATCH DR  
ROCKWALL, TX 75087

HIETBRINK BERNARD D & MELISSA L  
1725 BAY WATCH DR  
ROCKWALL, TX 75087

VILLARREAL GLORIA M & JOSE C  
1727 BAY HILL DR  
ROCKWALL, TX 75087

KETON JAMES H & JEANNETTE S  
1727 LAKE BREEZE DR  
ROCKWALL, TX 75087

HIGGINS BRADLEY STEPHEN AND  
AMANDA JO BURT HIGGINS  
1730 LAKE BREEZE DR  
ROCKWALL, TX 75087

BREEN ROBERT AND LAURA  
1732 BAY WATCH DR  
ROCKWALL, TX 75087

WHALIN GREGORY L & TERRI B  
1733 BAY WATCH DR  
ROCKWALL, TX 75087

LOCKWOOD CHARLES DOUGLAS  
1737 BAYHILL DR  
ROCKWALL, TX 75087

BOWEN RONALD L & DEANNA K  
1737 LAKE BREEZE DR  
ROCKWALL, TX 75087

BYROM JOHNNY R & LYNETTE  
1738 LAKE BREEZE DR  
ROCKWALL, TX 75087

TUBBS LAJUAN C  
1740 BAY WATCH DR  
ROCKWALL, TX 75087

LANZONE FAMILY LIVING TRUST  
CHRIS A LANZONE AND DIANE M LANZONE-  
TRUSTEES  
1741 BAY WATCH DRIVE  
ROCKWALL, TX 75087

GEHRING CAROLYN S  
1745 LAKE BREEZE DR  
ROCKWALL, TX 75087

PHILLIPS JACOB AND CAREEN NAKHLEH  
1747 BAYHILL DRIVE  
ROCKWALL, TX 75087

HARRINGTON VIOLET A  
1748 BAYWATCH DR  
ROCKWALL, TX 75087

KLECHA MARK AND ANGELA  
1748 LAKE BREEZE DR  
ROCKWALL, TX 75087

AKARD ARTHUR F & DANA D  
1751 BAY WATCH DR  
ROCKWALL, TX 75087

THOMPSON RONALD G & CAROLYN E  
1755 BAYHILL DR  
ROCKWALL, TX 75087



BARKER MARK A  
1755 LAKE BREEZE DR  
ROCKWALL, TX 75087

BOONE WILLIAM R JR & KYOKO N  
1756 LAKE BREEZE DR  
ROCKWALL, TX 75087

OH SINEUI  
1758 BAY WATCHDR  
ROCKWALL, TX 75087

WITTIG MILTON G & CYNTHIA J  
1759 BAY WATCH DR  
ROCKWALL, TX 75087

LOWNDES ROBERT  
1763 BAYHILL DR  
ROCKWALL, TX 75087

LONDON REV TR  
1763 LAKE BREEZE DR  
ROCKWALL, TX 75087

AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
1764 LAKE BREEZE DR  
ROCKWALL, TX 75087

RAY WILLIAM JACKSON AND DAWN MARIE  
1766 BAY WATCH DRIVE  
ROCKWALL, TX 75087

JACOBSON BRUCE ALLEN & MARGARET  
1769 BAY WATCH DR  
ROCKWALL, TX 75087

SMITH JAMES & JULIE  
1773 BAYHILL DR  
ROCKWALL, TX 75087

MEYN RICHARD B & CATHERINE  
MEYN FAMILY TRUST  
1773 LAKE BREEZE DR  
ROCKWALL, TX 75087

HAMILTON DOUGLAS C & JANET K  
1774 BAY WATCH DR  
ROCKWALL, TX 75087

GUZMAN PATRICIA MARGARITA & THANH  
NGUYEN HOANG  
1774 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

MOORE KERMIT T & GWENDOLYN R  
1781 BAYHILL DR  
ROCKWALL, TX 75087

PERALES LIVING TRUST  
1781 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

HOLCOMB RICHARD & KATHY  
1782 LAKE BREEZE DR  
ROCKWALL, TX 75087

CUTLER ELDON GEORGE & THALIA LONE  
1790 LAKE BREEZE DR  
ROCKWALL, TX 75087

BARBER TRUMAN JOSEPH & BARBARA  
1791 BAYHILL DR  
ROCKWALL, TX 75087

KING DOROTHY  
1793 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

DAVENPORT JAMES & MARYBETH  
1798 LAKE BREEZE DR  
ROCKWALL, TX 75087

VESTAL JEANETTE & ALSON  
1799 BAYHILL DR  
ROCKWALL, TX 75087

Daniel R. Tapia  
CRETI DANIEL AND MARTHA TRUST  
1803 LAKE BREEZE DR  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
1807 BAY HILL DR  
ROCKWALL, TX 75087

DAVIS JIMMY GOLAN AND TATIANA  
KAPOUSTINA-DAVIS  
1817 BAYHILL DRIVE  
ROCKWALL, TX 75087

ARAKI YU  
1822 BAY HILL DR  
ROCKWALL, TX 75087

KHABAZ ALLEN BLEEDO  
1827 BAYHILL DR  
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP  
202 N SAN JACINTO ST  
ROCKWALL, TX 75087

AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
30601 AGOURA ROAD SUITE 200  
AGOURA HILLS, CA 91301

CUTLER ELDON GEORGE & THALIA LONE  
40161 E 179TH STREET  
KINGSVILLE, MO 64061

VILLARREAL GLORIA M & JOSE C  
4914 W 106TH ST  
OAK LAWN, IL 60453



OH SINEUI  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO., LTD  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

ARAKI YU  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

CRETI DANIEL AND MARTHA TRUST  
550 S SILVERADO WAY  
ANAHEIM, CA 92807

BREEN ROBERT AND LAURA  
661 JUSTIN RD  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
915 SUNSET HILL DRIVE  
ROCKWALL, TX 75087



Case No. Z2021-010: Specific Use Permit for Accessory Structure

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

ABUSE OF EXISTING CODE

Name: CATHERINE AND RICHARD MEYN

Address: 1773 LAKE BREEZE DR ROCKWALL TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





**Case No. Z2021-010: Specific Use Permit for Accessory Structure**

**Please place a check mark on the appropriate line below:**

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

DANIEL R. TAPIA

Address:

1803 LAKE BREEZE DR

75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



PLEASE RETURN THE BELOW FORM

**Case No. Z2021-010: Specific Use Permit for Accessory Structure**

**Please place a check mark on the appropriate line below:**

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

If MARK KLECHA desires to build a large barn or storage shed he should re-locate out to a rural area. This would only serve to bring down our property values.

Name:

PAUL PETTIT

Address:

1048 Arbor View Place

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





BUILDING WILL BE CONSTRUCTED USING 2x4 FRAMING (16" ON CENTER)  
WITH SMART SIDING OUTER PANELING.

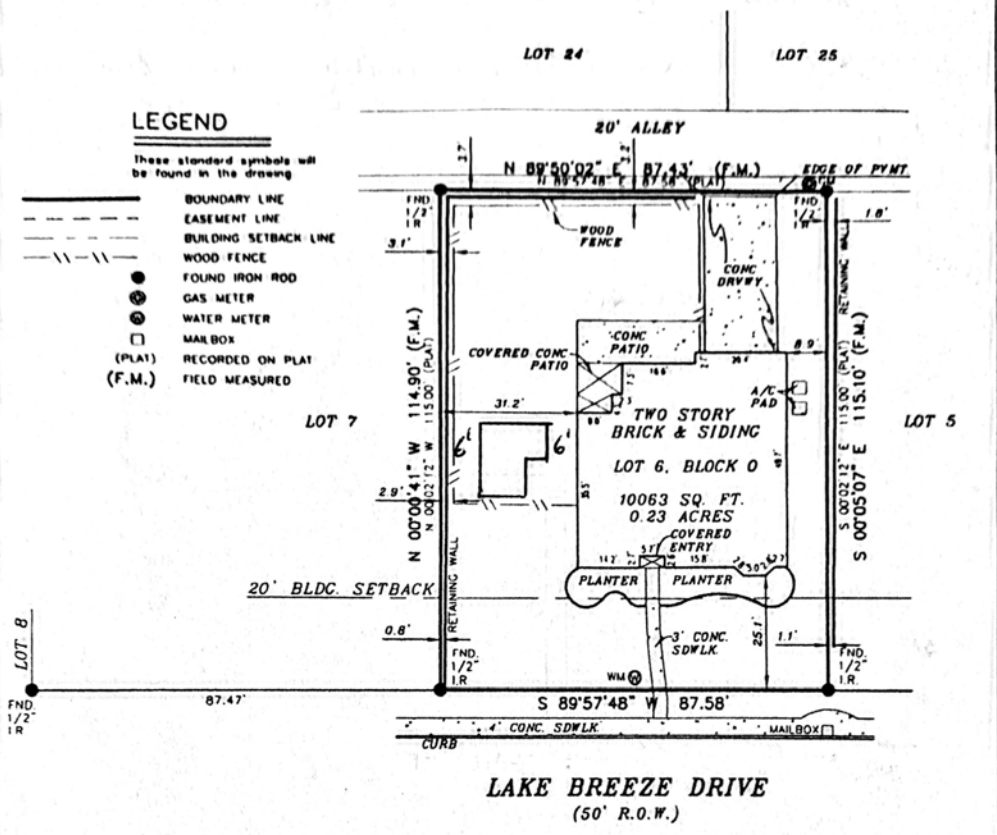
THE ROOF WILL BE A METAL STANDING SEAM ROOF OVER OSB PLYWOOD  
SHEETING AND 3016 ROOFING FECT.

THE ROOF TRUSSES WILL BE CONSTRUCTED WITH A 2x12x15 LVL RIDGE  
BEAM AND 2x6 RAFTERS 16" ON CENTER USING RAFTER HANGERS.

THE STRUCTURE WILL CONNECT TO THE CONCRETE SLAB USING PRESSURE  
TREATED LUMBER AND  $\frac{1}{2}$ " x 5" SLEEVE ANCHORS.

THE GARAGE DOOR WILL BE ROLL-UP WIND RATED DOOR (8'x7') AND THERE  
WILL BE A STANDARD 3'x7' EXTERIOR DOOR.

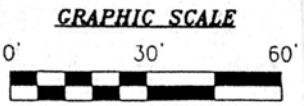




**LEGAL DESCRIPTION**  
BEING LOT 6, BLOCK 0 OF HILLCREST SHORES,  
AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY,  
TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN  
CABINET C, SLIDE 199, PLAT RECORDS, ROCKWALL COUNTY,  
TEXAS.

**FLOOD INSURANCE NOTE:** By graphics plotting only,  
this property is in ZONE X of the  
Flood Insurance Rate Map, Community Panel No.  
48397C-0030 L, effective date of SEPTEMBER 26, 2008.  
Exact designations can only be determined by a  
Elevation Certificate. Based on the above information,  
this property IS NOT in a Special Flood Hazard Area.

**SURVEYOR'S NOTE:**  
BASIS OF BEARING, RECORDED  
PLAT UNLESS OTHERWISE NOTED.



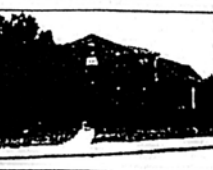
I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas,  
do hereby certify to HEXTER-FAIR TITLE COMPANY  
and  
that the above map is true and correct according to an actual field survey, made by me on the ground or  
under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further  
certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except  
as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent  
discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way  
as of the date of the field survey. I further certify that this survey meets or exceeds the  
minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).  
Lot(s) 6, Block 0, N.C.B. ---, Survey No. ---, Abstract No. ---  
Survey or Subdivision: HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL  
Cabinet C, Slide(s) 199-200, of the Map/Deed and Plat Records of ROCKWALL County, Texas  
Borrower/Owner: CHARLES M. HUSTON AND KENDALL HUSTON  
Address: 1748 LAKE BREEZE DRIVE GP No. PL11619416

**FINAL "AS-BUILT" SURVEY**

JOB NO.	1105006367	NO.	REVISION	DATE
DATE:	05/27/11			
DRAWN BY:	UN/HM			
APPROVED BY:	RJR			

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN  
VOLUME 961, PAGE 176, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS  
VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS

PROPERTY PHOTOGRAPH



**AMERISURVEYORS, LLC**  
11711 Warfield Road, San Antonio, Texas 78216  
Phone (214) 872-0066 Fax (214) 968-9662

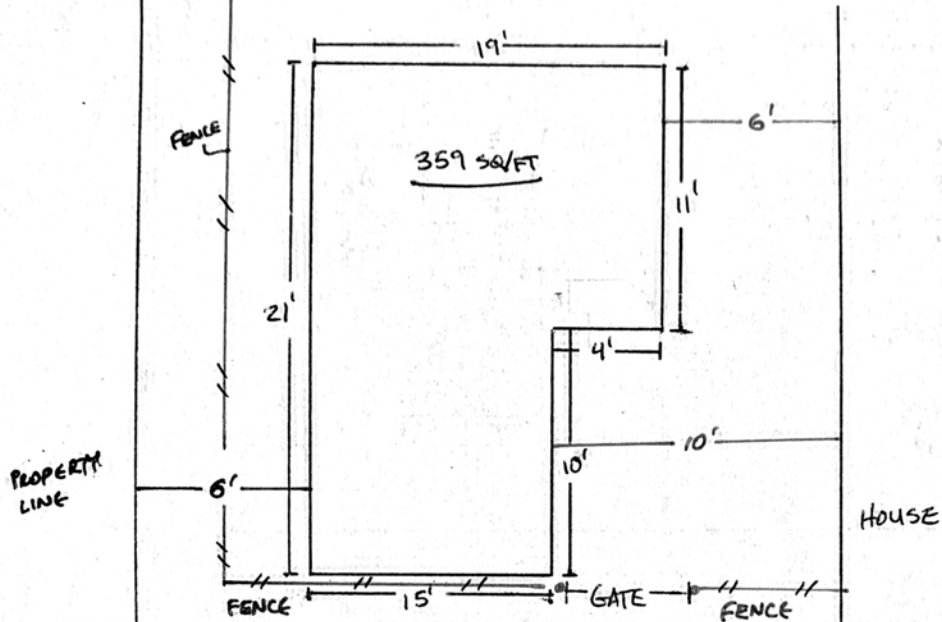
**STATE OF TEXAS**  
**REGISTERED**  
**ROY JOHN RONNFELDT**  
**3520**  
**PROFESSIONAL**  
**LAND SURVEYOR**

*Roy John Ronnfeldt*  
ROY JOHN RONNFELDT, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 3520



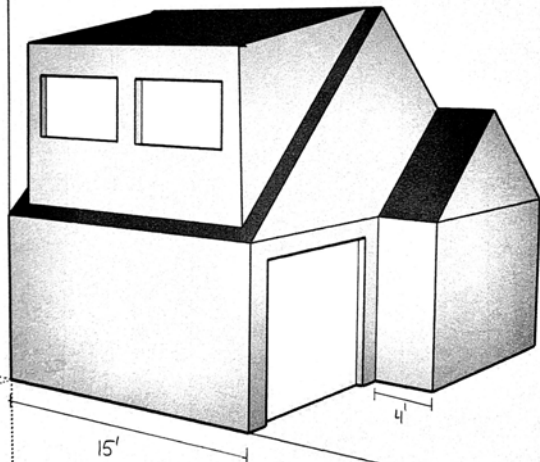
\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS.

\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FOSHEE EMAIL)

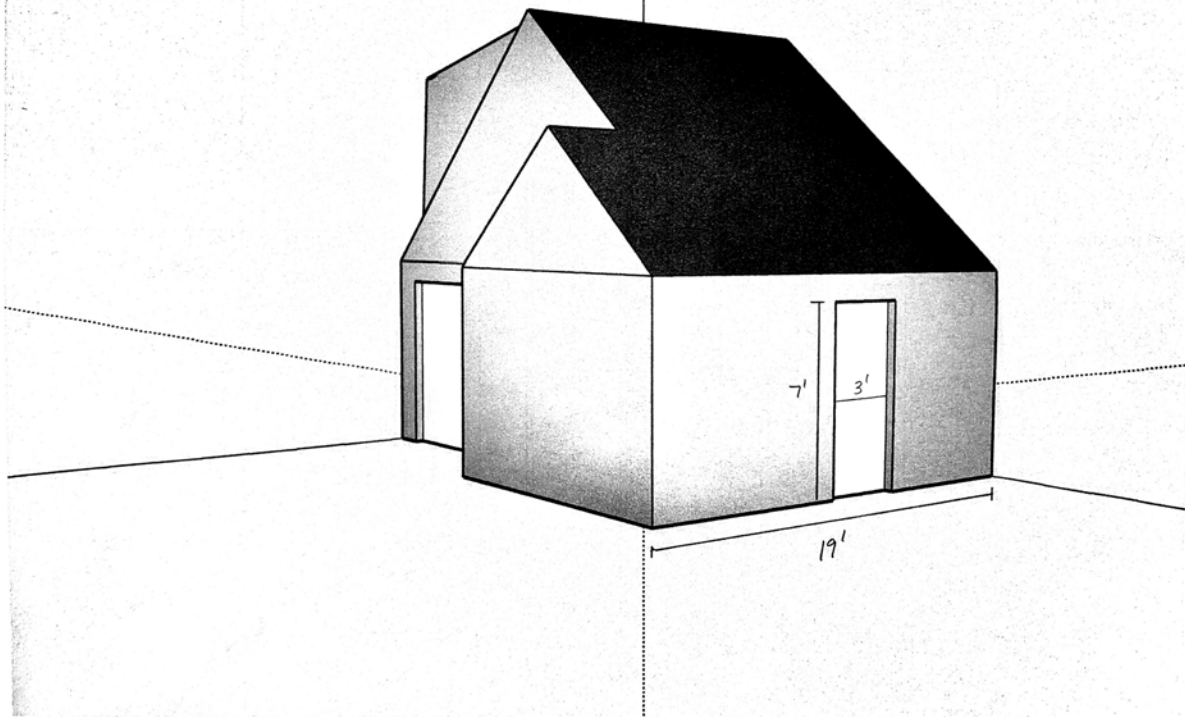


\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

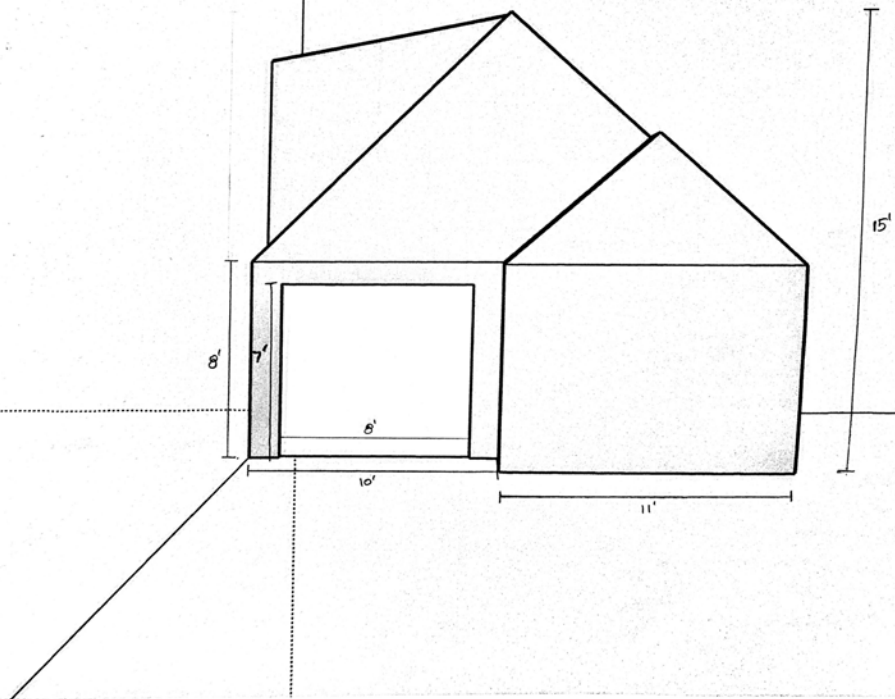






























**CONSTRUCTION CODES – 2015 International Residential Code & 2014 NEC Code and local amendments. ELECTRICAL PERMIT WILL BE REQUIRED FOR ANY NEW INSTALLATIONS. Minimum separation from other structures 6 ft. Maximum height of structure 15 ft. Minimum side setback 6 feet. Minimum rear setback 3 feet. Building is to be built per approved plans from the Planning & Zoning Commission & City Council.**

**For inspection [www.rockwall.com/buildinginspections/inspectionreq.asp](http://www.rockwall.com/buildinginspections/inspectionreq.asp).**

These standard symbols will be found in this drawing:

- BOUNDARY LINE
- - - EASEMENT LINE
- - - BUILDING SETBACK LINE
- - - WOOD FENCE
- FOUND IRON ROD
- GAS METER
- WATER METER
- MANHOLE
- (PLAT) RECORDED ON PLAT
- (F.M.) FIELD MEASURED

**BUILDERS COPY**

Keep On Job Site At All Times  
For Inspection Use

City of Rockwall

Review For Code Compliance

Subject To Field Inspection  
And Code Compliance

09/17/2020 By: C.Foshee 20' BLDG. SETBACK

**LAKE BREEZE DRIVE**  
(50' R.O.W.)

**LEGAL DESCRIPTION**  
BEING LOT 6, BLOCK 0 OF HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CACKET C, SLIDE 1195, PLAT RECORDS, ROCKWALL COUNTY, TEXAS.

**FLOOD INSURANCE NOTE:** By graphics plotting only, this property is in ZONE AE of the Flood Insurance Rate Map, Community Panel No. 4300000001, effective date of SEPTEMBER 26, 2008. Exact designations can only be determined by a Elevation Certificate. Based on the above information, this property is NOT in a Special Flood Hazard Area.

**SURVEYOR'S NOTE:** BASIS OF RECORD, RECORDED PLAT UNLESS OTHERWISE NOTED.

**GRAPHIC SCALE**  
0' 30' 60'

**CODE COMPLIANCE SUBJECT TO FIELD INSPECTORS APPROVAL**

I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to NEXTER-FAIR TITLE COMPANY and that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown herein and described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown herein and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 653.18) Lot(s) 6, Block 0, N.C.B. Survey No. Abstract No. Survey or Subdivision HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL Casket C, Slide 1195 of the Map/Deed and Plat Records of ROCKWALL County, Texas Borrower/Owner CHARLES M. HUSTON AND KENDALL HUSTON Address 1748 LAKE BREEZE DRIVE City PLATINUM

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN VOLUME 861, PAGE 176, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS.

**FINAL "AS-BUILT" SURVEY**

JOB NO.	1100000387	NO.	REVISION	DATE
DATE	05/27/11			
DRAWN BY	MLH/MLH			
APPROVED BY	RJR			

**AMERISURVEYORS, LLC**  
10711 International Road - San Antonio, Texas 78249  
Phone: (214) 477-1100 FAX: (214) 477-1101 Email: info@amerisurveyors.com

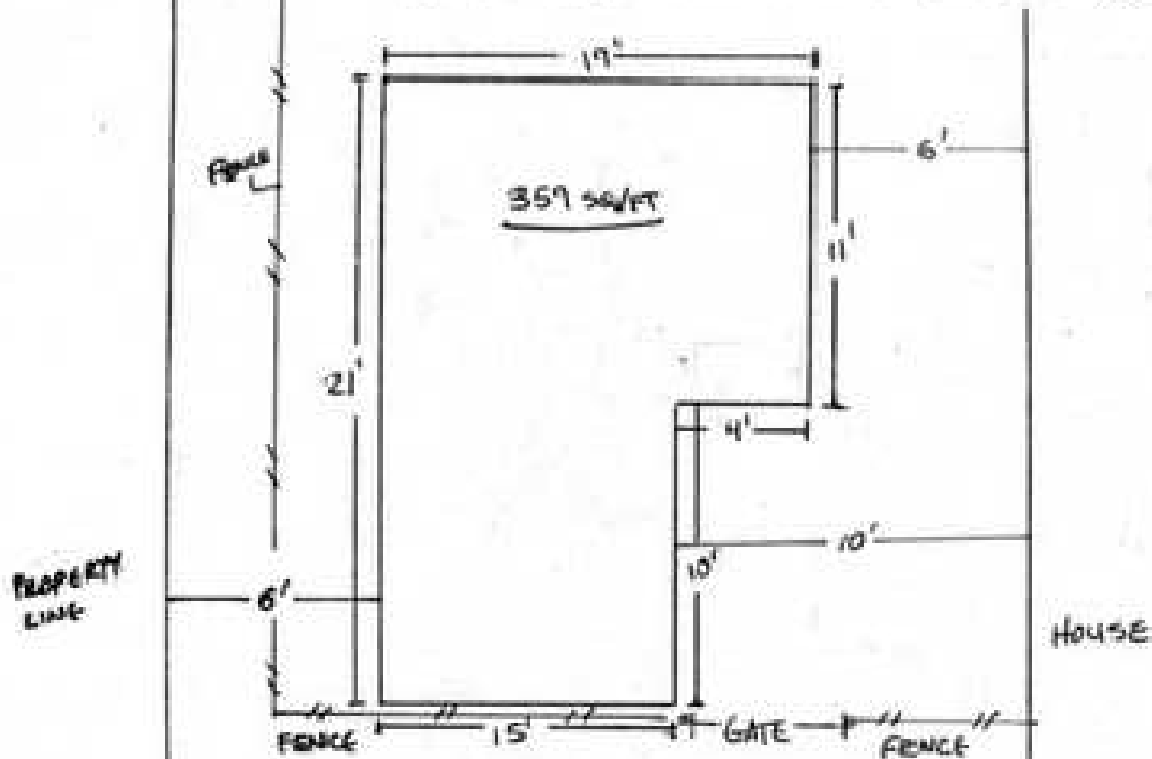
**STATE OF TEXAS**  
**REGISTERED**  
**ROY JOHN RONNFELDT**  
**3520**  
**PROFESSIONAL**  
**LAND SURVEYOR**

*Signature of Roy John Ronnfeldt*  
ROY JOHN RONNFELDT, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 3520



\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS -

\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE LEAD FENCE EMAIL)



\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

**BUILDERS COPY**

Keep On Job Site At All Times  
For Inspection Use



CONCRETE PAD w/ RETAINING WALL

- 3,000 PSI CONCRETE
- 1/2" REBAR THROUGHOUT
- (SPACED 16" APART FOR SLAB)

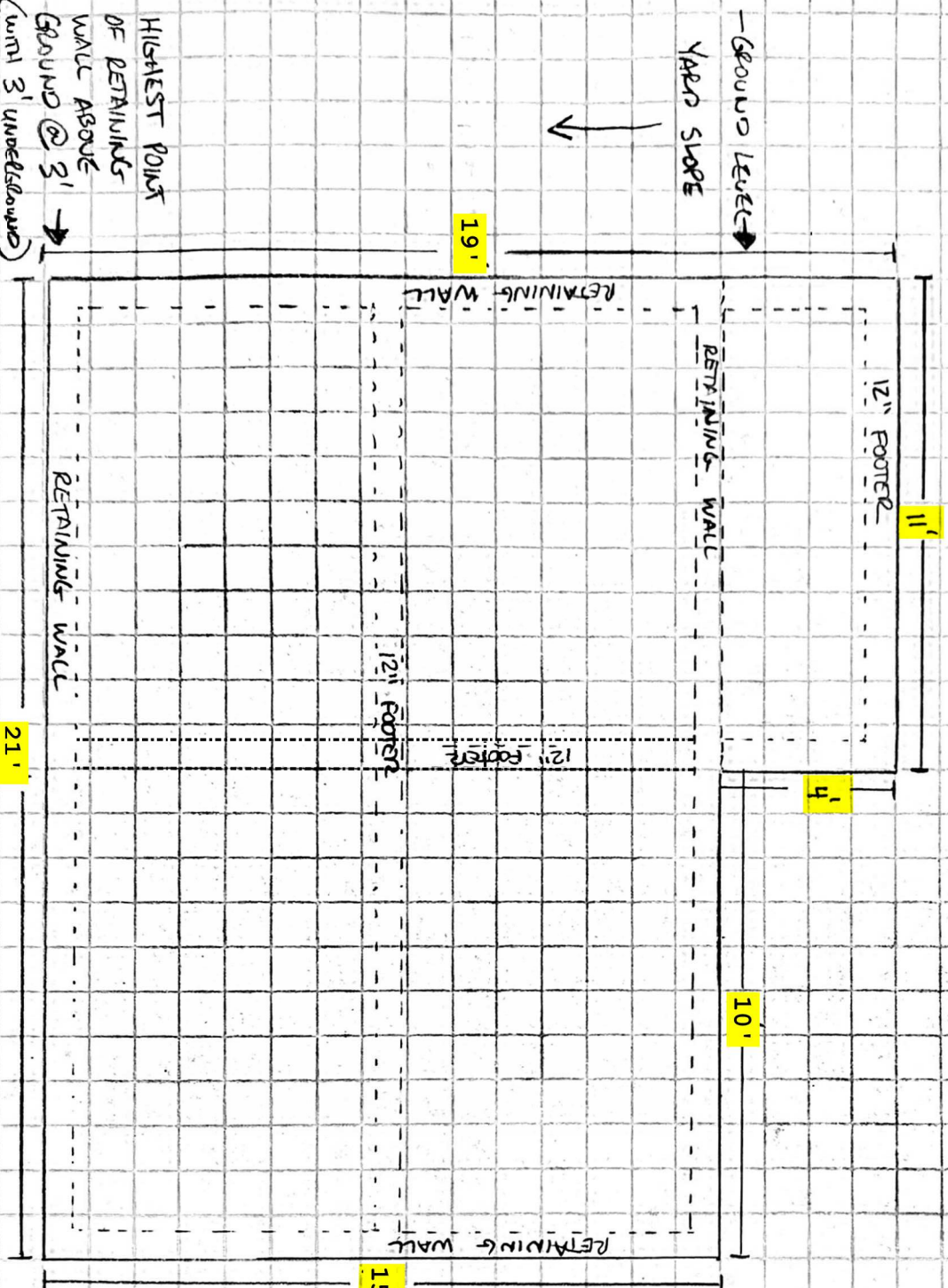
**BUILDERS COPY**

Keep On Job Site At All Times  
For Inspection Use

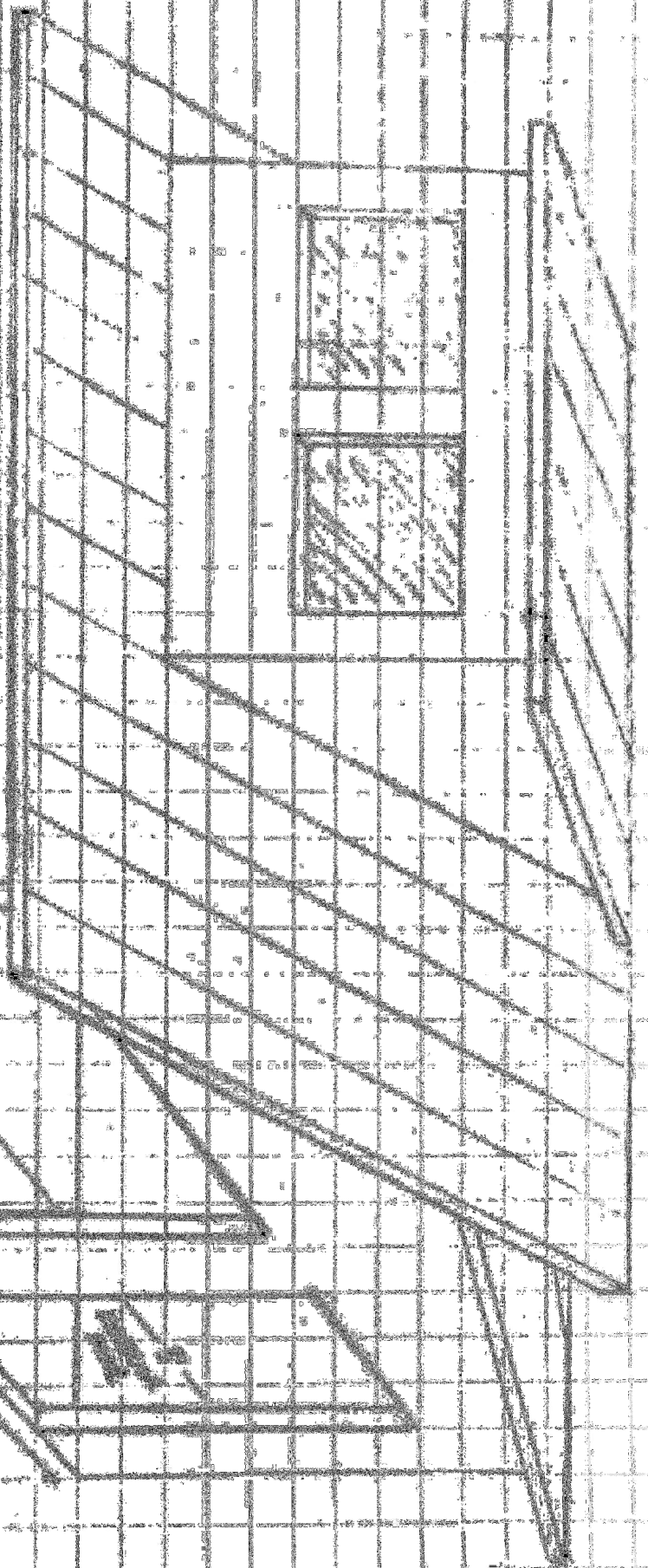
DETAILS:

THIS STRUCTURE WILL BE A SOLID CONCRETE RETAINING WALL 12" THICK WITH 1/2" REBAR FRAME CONSTRUCTION CONNECTING THE ENTIRE STRUCTURE (INCLUDING THE 5" THICK CONCRETE PAD ON TOP). THERE WILL BE A 12" FOOTER THROUGH THE MIDDLE OF THE SLAB CONNECTING TO THE RETAINING WALLS ON EITHER SIDE.

THE RETAINING WALL WILL BE 3' UNDERGROUND MOVING WITH THE SLOPE OF MY YARD. IT WILL BE 3' UNDERGROUND AND 3' (6" MIN) ABOVE GROUND AT THE LOW SIDE OF MY YARD. IT WILL PARALLEL AN EXISTING 3' RETAINING WALL TO RECEIVE THE LOAD. ALL OF IT WILL BE CONNECTED WITH REBAR AND CONCRETE TO MAKE ONE SOLID STRUCTURE WITH THE CONCRETE PAD ON TOP.







**Abstract**—The purpose of this study was to determine if there were differences in the prevalence of musculoskeletal disorders between two groups of nurses working in different units of a tertiary care hospital. The prevalence of musculoskeletal disorders was determined by means of a self-administered questionnaire among 100 nurses from each unit. The prevalence of musculoskeletal disorders was higher among nurses working in the intensive care unit than among those working in the medical-surgical unit. The prevalence of musculoskeletal disorders was higher among nurses working in the intensive care unit than among those working in the medical-surgical unit.

THE UNIVERSITY OF CHICAGO

# Journal of Democracy

[illegible]

BUILDERS COPY

**Keep On Job Site At All Times  
For Inspection Use**



**BUILDERS COPY**  
Keep On Job Site At All Times  
For Inspection Use



BUILDING WILL BE CONSTRUCTED USING 2x4 FRAMING (16" ON CENTER) WITH SMART SIDING OUTER PANELING.

THE ROOF WILL BE A METAL STANDING SEAM ROOF OVER OSB PLYWOOD SHEETING AND 3016 ROOFING FECT.

THE ROOF TRUSSES WILL BE CONSTRUCTED WITH A 2x12x15 LVL RIDGE BEAM AND 2x6 RAFTERS 16" ON CENTER USING RAFTER HANGERS.

THE STRUCTURE WILL CONNECT TO THE CONCRETE SLAB USING PRESSURE TREATED LUMBER AND  $\frac{1}{2}$ " x 5" SLEEVE ANCHORS.

THE GARAGE DOOR WILL BE ROLL-UP WIND RATED DOOR (8'x7') AND THERE WILL BE A STANDARD 3'x7' EXTERIOR DOOR.

**BUILDERS COPY**

**Keep On Job Site At All Times  
For Inspection Use**



# SKAGGS ENGINEERING

1018 Meadow Green Court Princeton, TX 75407

[skaggsengineering@yahoo.com](mailto:skaggsengineering@yahoo.com)

Cell: 972.369.2194

## BUILDERS COPY

Keep On Job Site At All Times  
For Inspection Use

August 23, 2020

City of Rockwall  
Building Inspections  
385 S. Goliad Street  
Rockwall, TX

Re: New Workshop Pad/Retaining Walls  
1748 Lake Breeze Drive  
Rockwall, TX

To Whom It May Concern:

I have reviewed the proposed workshop at the above referenced residence. The new workshop will be approximately 400 sf and constructed with wood stud bearing walls and wood rafters. The workshop will be located adjacent to an existing retaining wall along the property line. The workshop will be supported by a 5" concrete slab reinforced with #4 bars @ 16" OC each way and retaining walls on each side. The retaining walls are 12" wide, reinforced with #4 bars @ 16" OC each way, and set 36" into the ground. The walls vary in height and are a maximum of 3'-0" above grade.

After reviewing the information, in my opinion, the retaining walls and slab were constructed in accordance with the 2015 International Residential Code and City of Rockwall requirements. The retaining walls and slab can support the weight of the proposed workshop. The new retaining walls, slab, and proposed workshop will not affect the structural integrity of the existing retaining wall.

If I can be of any further assistance or if there should be any questions, please do not hesitate to call.

Sincerely,

SKAGGS ENGINEERING  
FIRM NUMBER F-12387



Matthew R. Skaggs, P.E.  
Skaggs Engineering



**From:** [Foshee, Craig](#)  
**To:** [Gonzales, David](#); [Miller, Ryan](#)  
**Cc:** [McDowell, Russell](#)  
**Subject:** FW: 1748 Lake breeze  
**Date:** Thursday, April 22, 2021 3:51:25 PM

---

-----Original Message-----

From: Yancey, Jared  
Sent: Thursday, April 22, 2021 3:51 PM  
To: McDowell, Russell <[rmcdowell@rockwall.com](mailto:rmcdowell@rockwall.com)>; Foshee, Craig <[cfoshee@rockwall.com](mailto:cfoshee@rockwall.com)>  
Subject: 1748 Lake breeze

The height on the structure is 15'7" from the backyard height. 19'9" from the existing retaining wall on edge of property.

Square footage is 330 ft.<sup>2</sup> for the downstairs, upstairs square footage is 240ft.<sup>2</sup> as to which the roofline meets the floor of attic area

Jared Yancey  
469-797-3436  
Building Inspections

---

This email was scanned by Bitdefender



































CITY OF ROCKWALL

ORDINANCE NO. 20-34

SPECIFIC USE PERMIT NO. S-231

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an Accessory Building that exceeds the maximum allowable size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as



heretofore amended and as may be amended in the future --, and with the following conditions:

## **2.1. OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 360 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## **2.2. COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

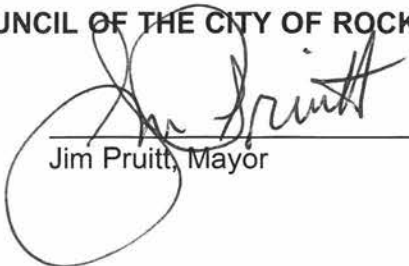
**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.



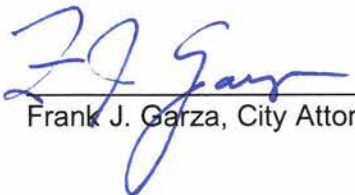
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.

  
\_\_\_\_\_  
Jim Pruitt, Mayor

ATTEST:

  
\_\_\_\_\_  
Kristy Cole, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020





**Exhibit 'A'**  
**Zoning Exhibit**

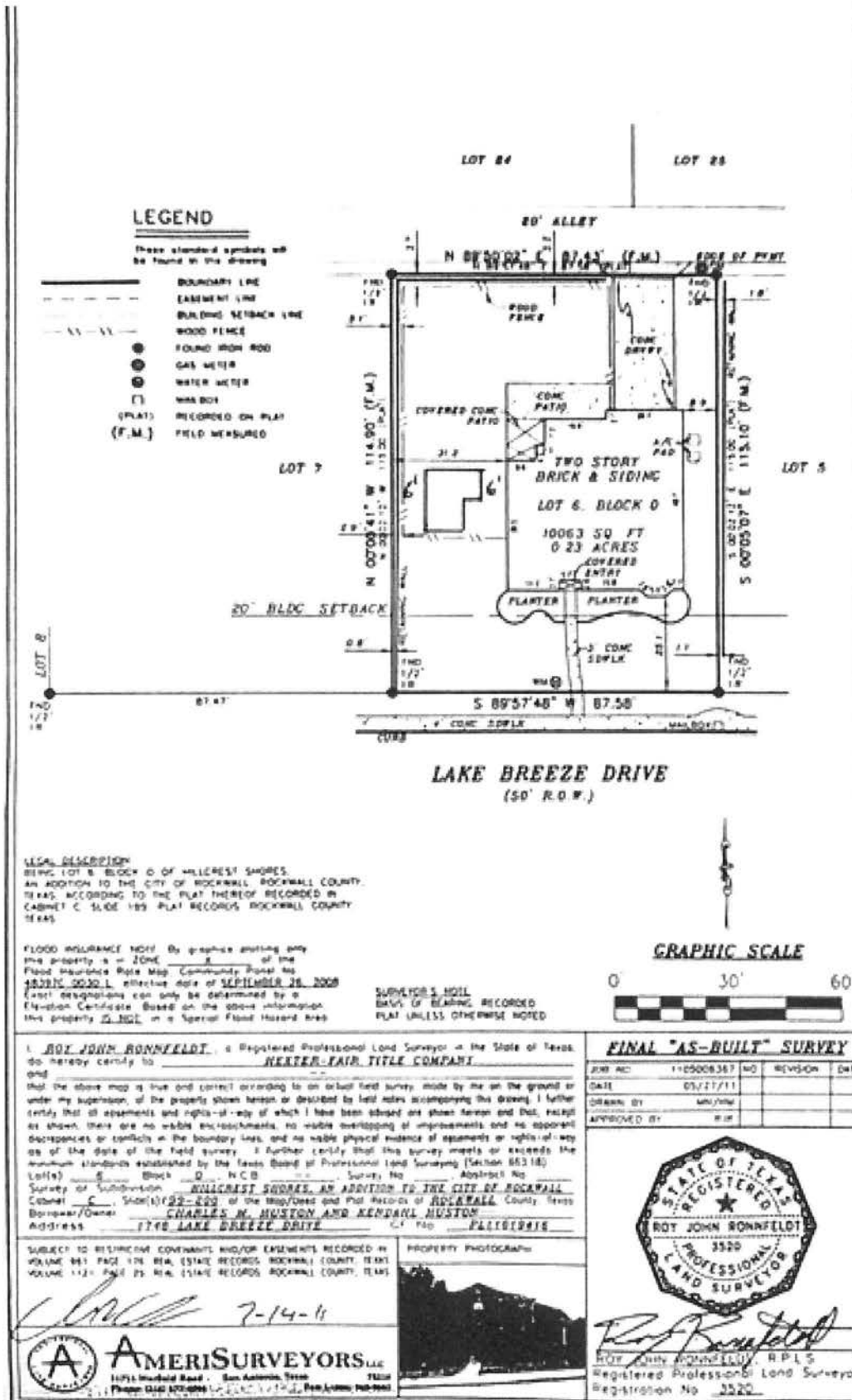
Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition



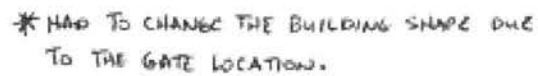


Exhibit 'B':  
Site Plan



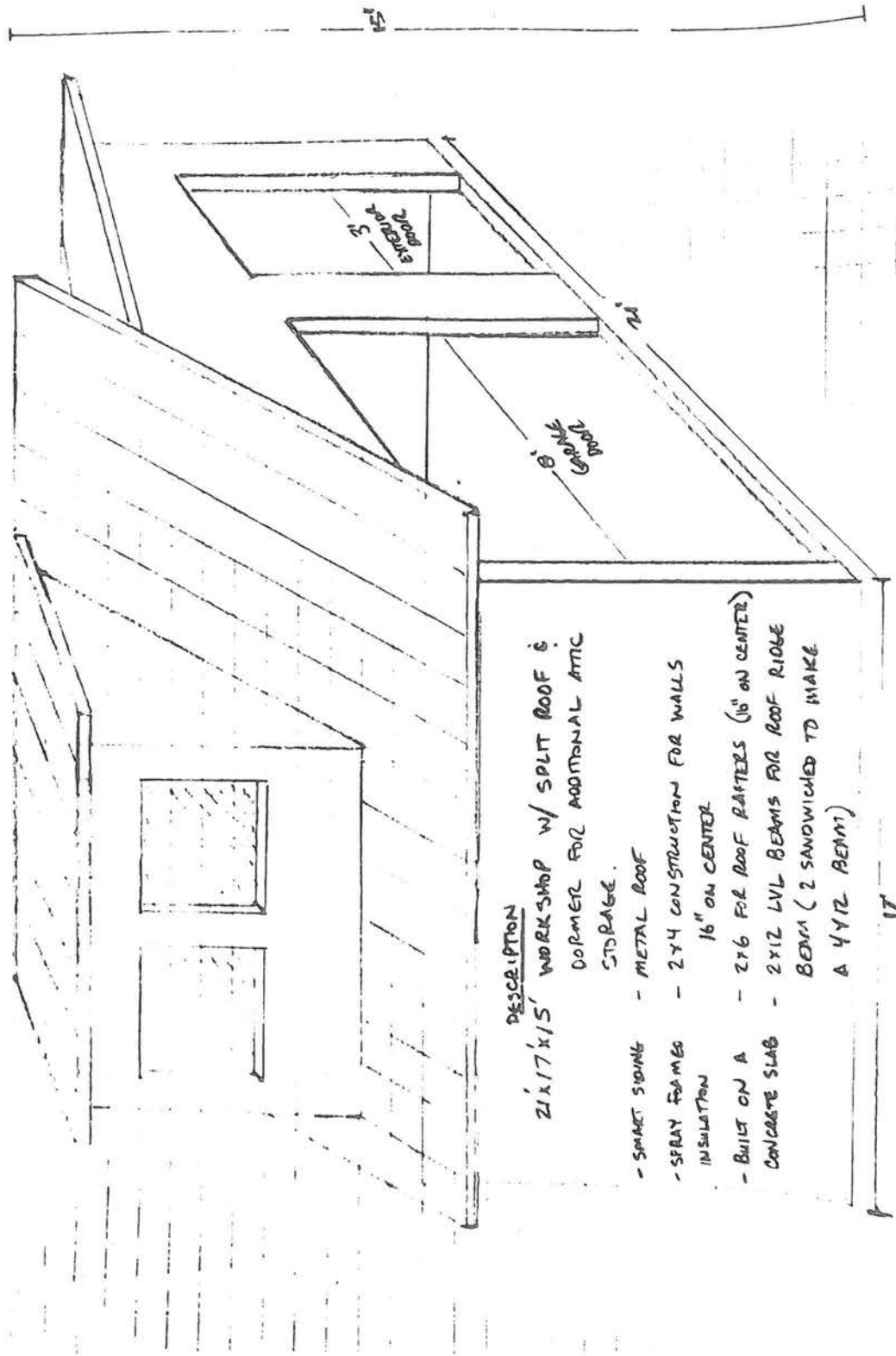


## Site Plan



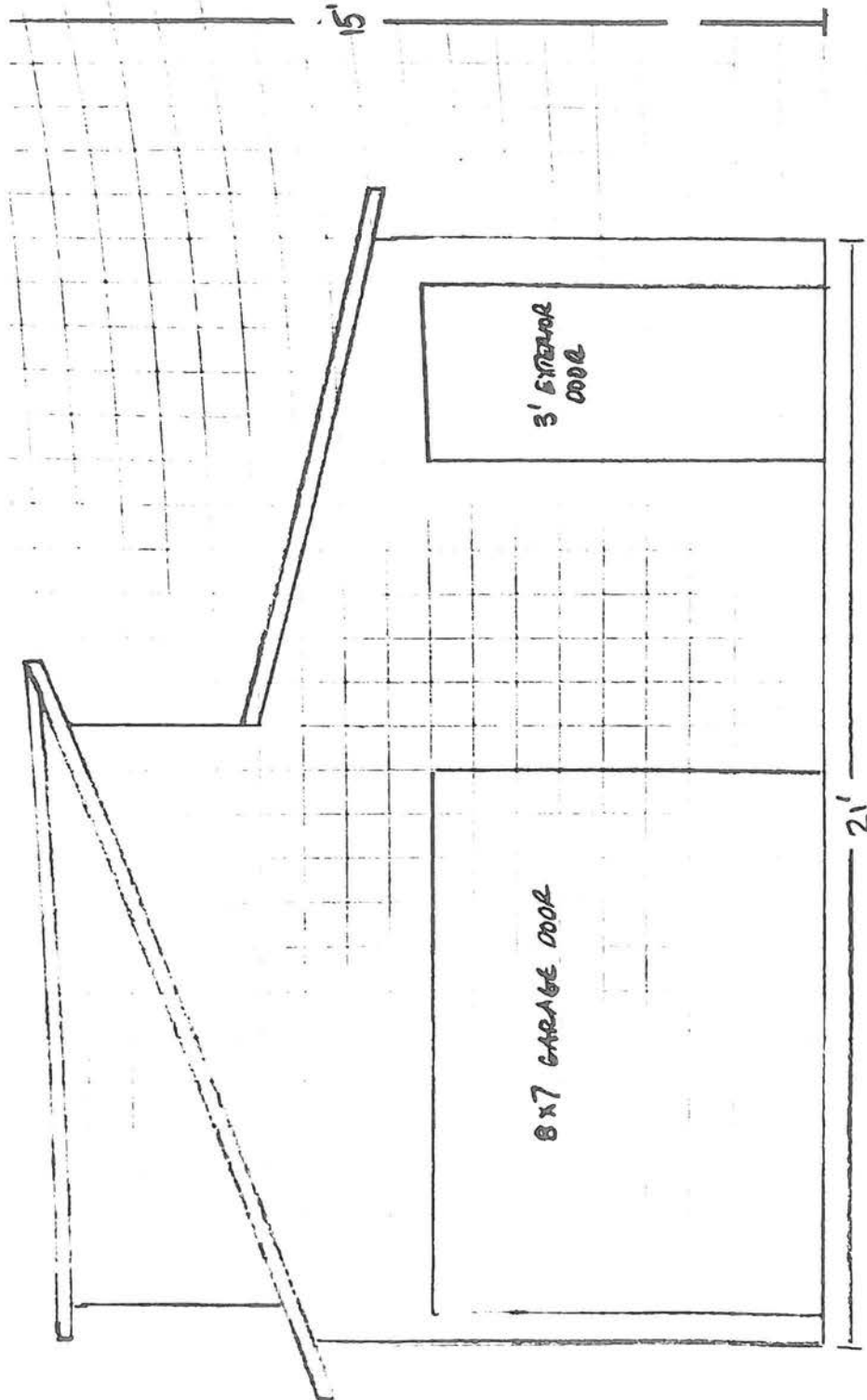


**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*







# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** August 17, 2020  
**APPLICANT:** Mark Klecha  
**CASE NUMBER:** Z2020-030; *Specific Use Permit for an Accessory Building at 1748 Lake Breeze Drive*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

### BACKGROUND

The subject property was originally annexed into the City of Rockwall on February 6, 1961 by *Ordinance No. 61-02*. According to the City's historic zoning maps the subject property was zoned Multi-Family 1 (MF-1) District as of January 3, 1972. By May 16, 1983, this designation had changed to Planned Development District 11 (PD-11) [*Ordinance No. 80-13*] for Single-Family 2 (SF-2) District land uses. On June 7, 1993, *Ordinance No. 93-11* change the designation of the subject property within Planned Development District 11 (PD-11) to an area designated for Single-Family 10 (SF-10) District land uses [*Case No. PZ1993-020-01*]. The subject property was platted as Lot 6, Block O, Hillcrest Shores Addition on August 12, 1993 by *Case No. PZ1993-030-01*. According to the Rockwall Central Appraisal District (RCAD), situated on the subject property is a 2,649 SF single-family home that was constructed in 1995.

### PURPOSE

The property owner and applicant -- *Mark Klecha* -- is requesting the approval of a Specific Use Permit (SUP) to permit the construction of an accessory building that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1748 Lake Breeze Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is an alleyway followed by the remainder of the Hillcrest Shores Subdivision, which consists of 67 single-family residential homes on 22.17-acres. Beyond this is Bayhill Drive, which is identified as a R2 (*i.e. residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown 2040 Vision Comprehensive Plan. North of this roadway is the Hillcrest Shores, Phase 2 Subdivision, which consists of 113 single-family residential homes on 53.24-acres. All of these properties are zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses.

South: Directly south of the subject property is Lake Breeze Drive, which is identified as a R2 (*i.e. residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the remainder of the Hillcrest Shores Subdivision. South of this is the Northshore, Phase 2B Subdivision, which consists of 76 single-family residential homes on 25.04-acres. This subdivision is zoned Single-Family 10 (SF-10) District.



East: Directly east of the subject property is the remainder of the Hillcrest Shores Subdivision followed by N. Lakeshore Drive, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This area is zoned Planned Development District 11 (PD-11) for Single Family 10 (SF-10) District land uses. Beyond this is the Preserve, Phase 2 Subdivision, which consists of 82 single-family residential lots on 33.02-acres. This property is zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is the remainder of the Hillcrest Shores Subdivision, which is zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District. Beyond this is the *Lake Ray Hubbard Takeline* followed by the corporate limits of the City of Rockwall. Beyond this is Lake Ray Hubbard.

## **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, letter, and drawings requesting to permit a proposed 359 SF accessory building. Per the drawings provided by the applicant the accessory building will have a pitched roof with dormer windows, and stand a total of 15-feet in height. The exterior of the accessory building will be clad in a composite siding (*i.e. smart siding*), and the roof will be constructed with standing seam metal. The proposed building will be situated on the side of the property, adjacent to the western property line, behind an existing eight (8) foot board-on-board wood fence. In addition, the applicant has stated in the provided letter that there is a mature live oak tree situated in front of the fence further impairing the view of the structure.

## **CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family 10 (SF-10) District allows a total of two (2) accessory buildings each being 144 SF in size or one (1) accessory building at 144 SF in size and one (1) detached garage at 625 SF in size. In addition, accessory buildings are limited to a maximum height of 15-feet and a minimum setback of three (3) feet from the rear property line and six (6) feet from the side property line. In addition, accessory buildings are required to have a minimum of six (6) feet of separation from any other primary or accessory structure. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)."

## **STAFF ANALYSIS**

In this case, the applicant's request conforms with the setback and height requirements for accessory buildings; however, the proposed size of the accessory building exceeds the maximum permissible size by 215 SF. Staff did perform a review of the aerial imagery of all of the homes in the Hillcrest Shores Subdivision (*i.e. the 67 single-family homes in the same phase as the subject property*) and determined that there does not appear to be any accessory buildings in this area of a similar size as to what the applicant is proposing. With this being said, there are covered patios and carports that appear to be of a similar size (*i.e. ~400 SF*). With regard to the letter submitted by the applicant, staff should note that a residential garage is clearly defined by Subsection 02.02(7) of Article 13, *Definitions*, of the Unified Development Code (UDC) as:

Residential Garage. A residential accessory building used for the storage of motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

In the applicant's case, the roll up garage door will face toward the primary structure, and be six (6) feet away from the western wall of the primary structure. This would not make it possible to pull a standard size vehicle into the structure. In addition, the structure is completely enclosed behind an eight (8) foot fence and the applicant is not providing a driveway to the structure (*which is characteristic of a detached garage*). Based on this staff was required to designate this structure as an accessory building, and not as a detached garage as the applicant has requested.

Staff should note that the structure will only be slightly visible from Lake Breeze Drive and that an existing tree and eight (8) foot fence will impair the view of the structure from right-of-way. With this being said, approval of a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.



## **NOTIFICATIONS**

On July 23, 2020, staff mailed 100 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Hillcrest at the Shores and the Preserve Homeowner's Associations (HOA's), which are the only HOA/Neighborhood Organizations that are within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had received four (4) notices in favor of the applicant's request and one (1) notice opposed to the applicant's request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum permissible size, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in Exhibits 'B' & 'C' of the Specific Use Permit (SUP) ordinance; and
  - (b) The *Accessory Building* shall not exceed a maximum size of 360 SF; and
  - (c) The subject property shall not have more than one (1) accessory building.
- (2) The applicant will need to submit a letter from a structural engineer certifying that the recently built retaining wall was built to hold the weight of the proposed accessory structure, and that the retaining wall poses no structural risk to the existing three (3) foot retaining wall on the adjacent property; and
- (3) The applicant will need to apply for a building permit from the Building Inspections Department; and
- (4) Any construction resulting from the approval of this zoning change 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 11, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) with the conditions of approval by a vote of 4-2, with Commissioners Logan and Womble dissenting and Commissioner Welch absent.





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING

CASE NO.

22020-030

**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) <sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☐ Final Plat (\$300.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Replat (\$300.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre) <sup>1</sup>

### Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

### 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.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 1748 LAKE BREEZE DR. ROCKWALL, TX 75087

Subdivision HILLCREST SHORES Lot 6 Block 0

General Location

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

Current Zoning PD-11

Current Use RESIDENTIAL

Proposed Zoning PD-11

Proposed Use RESIDENTIAL

Acreage 0.23

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 MARK KLECHA

☐ Applicant

Contact Person

Contact Person

Address 1748 LAKE BREEZE DR.

Address

City, State & Zip ROCKWALL, TX 75087

City, State & Zip

Phone 402-315-8387

Phone

E-Mail markklecha@hotmail.com

E-Mail

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared MARK KLECHA [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 \$ 215.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 16th day of July, 20 20. 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."

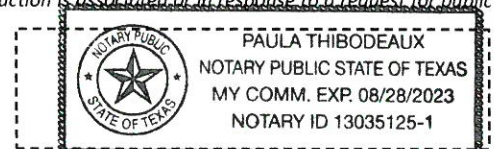
Given under my hand and seal of office on this the 16th day of July, 20 20.

Owner's Signature

Mark Klecha

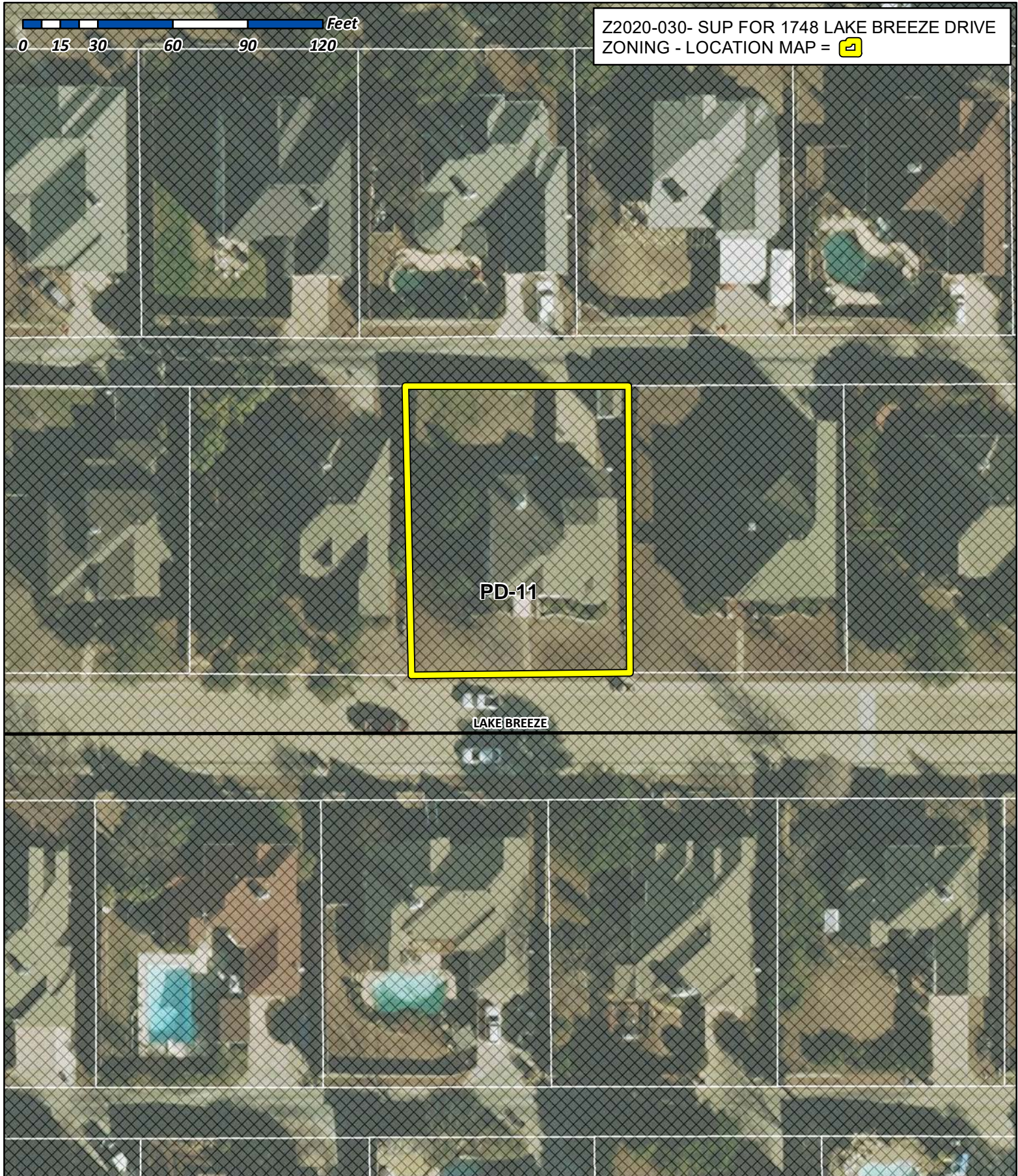
Notary Public in and for the State of Texas

Paula Thibodeaux



My Commission Expires





## City of Rockwall

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



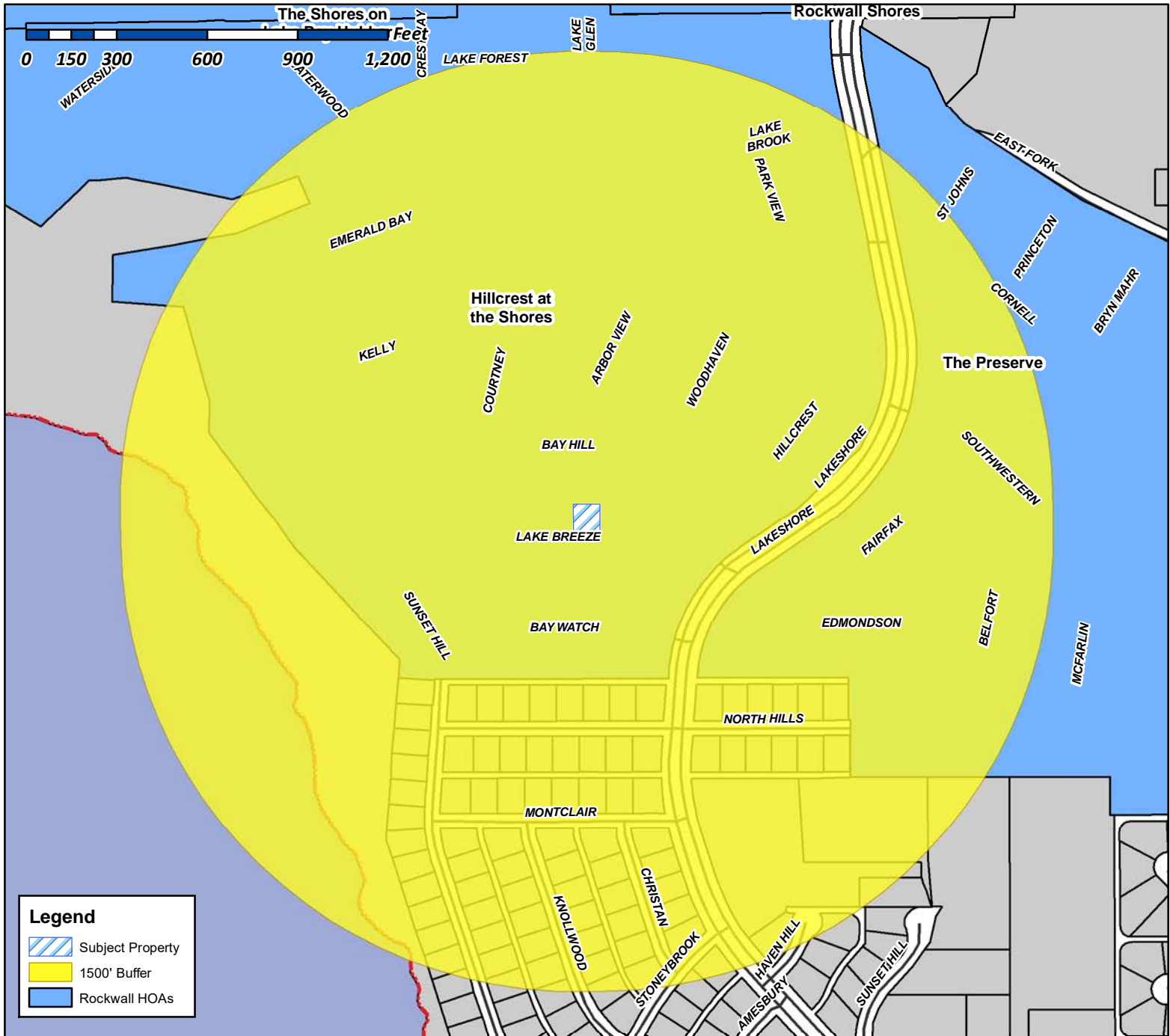




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

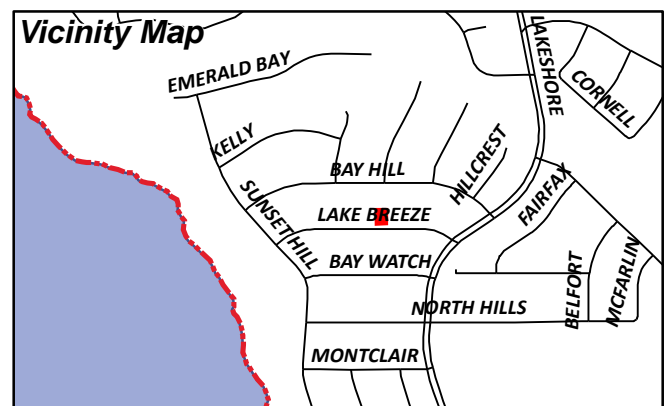
The City of Rockwall GIS maps are continually under development and therefore subject to change without notice. While we endeavor to provide timely and accurate information, we make no guarantees. The City of Rockwall makes no warranty, express or implied, including warranties of merchantability and fitness for a particular purpose. Use of the information is the sole responsibility of the user.



**Case Number:** Z2020-030  
**Case Name:** SUP for 1748 Lake Breeze Drive  
**Case Type:** Specific Use Permit  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 7/17/2020

**For Questions on this Case Call** (972) 771-7745





**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#); [Henry Lee](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Tuesday, July 21, 2020 10:14:35 AM  
**Attachments:** [HOA Map \(07.17.2020\).pdf](#)  
[Public Notice \(07.20.2020\).pdf](#)

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HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday, July 31, 2020. The Planning and Zoning Commission will hold a public hearing on Tuesday, August 11, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 17, 2020 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>





# City of Rockwall

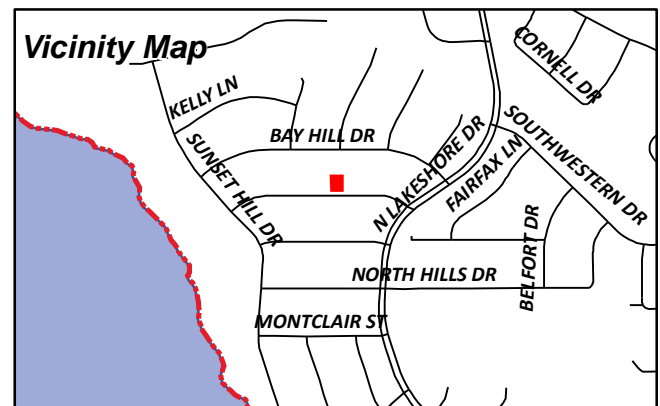
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

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**Case Number:** Z2020-030  
**Case Name:** SUP for 1748 Lake Breeze Drive  
**Case Type:** Specific Use Permit  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 7/22/2020  
**For Questions on this Case Call** (972) 771-7745





CURRENT RESIDENT  
1011 HILLCREST  
ROCKWALL, TX 75087

ANDERSON SALLY LESIL & STEVE  
1017 COURTNEY CIRCLE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1019 WOODHAVEN  
ROCKWALL, TX 75087

DORN KEITH  
1020 ARBOR VIEW PL  
ROCKWALL, TX 75087

SANDMAN DAVID & VALERIE  
1020 COURTNEY CIR  
ROCKWALL, TX 75087

HAUER MELVIN C & VIRGINIA L  
1020 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

LOGAN WINFRED BART & TRACEY  
1021 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAURHOFF MARGARET L AND  
MICHAEL J VEREB  
1025 COURTNEY CIRCLE  
ROCKWALL, TX 75087

WEBER MATTHEW J AND THERESA M  
1027 ARBOR VIEW PL  
ROCKWALL, TX 75087

BEUSELING JOHN MARTIN & GLORIA LYNN  
1029 WOODHAVEN CIR  
ROCKWALL, TX 75087

BENAVIDES RAPHAEL G & MARY A  
1030 ARBOR VIEW PL  
ROCKWALL, TX 75087

MULLINAX STEVE WAYNE & DEBBIE S  
1030 COURTNEY CIR  
ROCKWALL, TX 75087

CORRIGAN DERRICK & STEFANIE  
1030 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

ABRAMSKY SAMUEL & CHRISTI  
1033 ARBOR VIEW PL  
ROCKWALL, TX 75087

FLEMING ERIC AND DEIDRE  
1033 COURTNEY CIR  
ROCKWALL, TX 75087

WARD PATRICK C  
1037 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

BEATY SUSAN J  
1038 COURTNEY CR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1039 ARBOR VIEW  
ROCKWALL, TX 75087

MAY RICHARD A & LISA A  
1040 ARBOR VIEW PL  
ROCKWALL, TX 75087

SMETANA JOSEPH JR & ANGEL P  
1046 COURTNEY CIR  
ROCKWALL, TX 75087

RESTER J TREVER & MICHELLE  
1047 ARBOR VIEW PL  
ROCKWALL, TX 75087

PETTIT PAUL & PAMELA  
1048 ARBOR VIEW PL  
ROCKWALL, TX 75087

WRIGHT LARRY G & JENNIFER  
1054 COURTNEY CIRCLE  
ROCKWALL, TX 75087

MATHIAS ERIC J & ROBIN A  
1514 MALLARD HVN  
SAN ANTONIO, TX 78260

SUCHAND HAROLD A AND SUSAN W  
1596 EDMONDSON TR  
ROCKWALL, TX 75087

JONES LALANII  
1597 EDMONDSON TRAIL  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1602 NORTH HILLS  
ROCKWALL, TX 75087

KLUTTS BEN A JR & JULIE C  
1604 N HILLS DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1604 NORTH HILLS  
ROCKWALL, TX 75087

WATSON MATTHEW W & JAMIE D  
1606 NORTH HILLS DRIVE  
ROCKWALL, TX 75087



CONNALLY DAVID & VICKIE  
1608 N HILLS DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1610 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

BAUCHMAN NANCY  
16631 MALCOLM LN  
YORBA LINDA, CA 92886

JOHNSON CLARENCE R & CASANDRA L  
1704 BAY WATCH DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1704 LAKE BREEZE  
ROCKWALL, TX 75087

LYNCH CHRISTOPHER J  
1705 BAY WATCH DRIVE  
ROCKWALL, TX 75087

RYAN JEFFREY & DARLA  
1705 BAYHILL DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1707 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PAULSEN LOGAN & BRANDI A  
1712 BAY WATCH DRIVE  
ROCKWALL, TX 75087

VAUGHN STEPHEN MICHAEL  
1712 LAKE BREEZE DR  
ROCKWALL, TX 75087

WHITAKER MARTIN & DORIS  
1715 BAY WATCH DR  
ROCKWALL, TX 75087

REPMAN MARK &  
MICHELLE BASTIDAS  
1715 BAYHILL DR  
ROCKWALL, TX 75087

SIMPSON RODNEY KEITH  
1717 LAKE BREEZE DR  
ROCKWALL, TX 75087

PEDDIE STACIE  
1720 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

KEETON KENNETH W & REBECCA  
1722 BAY WATCH DR  
ROCKWALL, TX 75087

HIETBRINK BERNARD D & MELISSA L  
1725 BAY WATCH DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1727 BAY HILL  
ROCKWALL, TX 75087

KETON JAMES H & JEANNETTE S  
1727 LAKE BREEZE DR  
ROCKWALL, TX 75087

HIGGINS BRADLEY STEPHEN AND  
AMANDA JO BURT HIGGINS  
1730 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1732 BAY WATCH  
ROCKWALL, TX 75087

WHALIN GREGORY L & TERRI B  
1733 BAY WATCH DR  
ROCKWALL, TX 75087

LOCKWOOD CHARLES DOUGLAS  
1737 BAYHILL DR  
ROCKWALL, TX 75087

BOWEN RONALD L & DEANNA K  
1737 LAKE BREEZE DR  
ROCKWALL, TX 75087

BYROM JOHNNY R & LYNETTE  
1738 LAKE BREEZE DR  
ROCKWALL, TX 75087

TUBBS LAJUAN C  
1740 BAY WATCH DR  
ROCKWALL, TX 75087

LANZONE FAMILY LIVING TRUST  
CHRIS A LANZONE AND DIANE M LANZONE-  
TRUSTEES  
1741 BAY WATCH DRIVE  
ROCKWALL, TX 75087

GEHRING CAROLYN S  
1745 LAKE BREEZE DR  
ROCKWALL, TX 75087

BRADLEY TAMMY JEAN  
1747 BAY HILL DR  
ROCKWALL, TX 75087

SISKA JAMES W & RITA F  
1748 BAY WATCH DR  
ROCKWALL, TX 75087

KLECHA MARK AND ANGELA  
1748 LAKE BREEZE DR  
ROCKWALL, TX 75087



AKARD ARTHUR F & DANA D  
1751 BAY WATCH DR  
ROCKWALL, TX 75087

THOMPSON RONALD G & CAROLYN E  
1755 BAYHILL DR  
ROCKWALL, TX 75087

BARKER MARK A  
1755 LAKE BREEZE DR  
ROCKWALL, TX 75087

BOONE WILLIAM R JR & KYOKO N  
1756 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1758 BAY WATCH  
ROCKWALL, TX 75087

WITTIG MILTON G & CYNTHIA J  
1759 BAY WATCH DR  
ROCKWALL, TX 75087

LOWNDES ROBERT  
1763 BAYHILL DR  
ROCKWALL, TX 75087

LONDON REV TR  
1763 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1764 LAKE BREEZE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1766 BAY WATCH  
ROCKWALL, TX 75087

JACOBSON BRUCE ALLEN & MARGARET  
1769 BAY WATCH DR  
ROCKWALL, TX 75087

SMITH JAMES & JULIE  
1773 BAYHILL DR  
ROCKWALL, TX 75087

MEYN RICHARD B & CATHERINE  
MEYN FAMILY TRUST  
1773 LAKE BREEZE DR  
ROCKWALL, TX 75087

HAMILTON DOUGLAS C & JANET K  
1774 BAY WATCH DR  
ROCKWALL, TX 75087

GUZMAN PATRICIA MARGARITA & THANH  
NGUYEN HOANG  
1774 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

MOORE KERMIT T & GWENDOLYN R  
1781 BAYHILL DR  
ROCKWALL, TX 75087

PERALES LIVING TRUST  
1781 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

HOLCOMB RICHARD & KATHY  
1782 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1790 LAKE BREEZE  
ROCKWALL, TX 75087

BARBER TRUMAN JOSEPH & BARBARA  
1791 BAYHILL DR  
ROCKWALL, TX 75087

KING DOROTHY  
1793 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

DAVENPORT JAMES & MARYBETH  
1798 LAKE BREEZE DR  
ROCKWALL, TX 75087

VESTAL JEANETTE & ALSON  
1799 BAYHILL DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1803 LAKE BREEZE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1807 BAY HILL  
ROCKWALL, TX 75087

DAVIS JIMMY GOLAN AND TATIANA  
KAPOUSTINA-DAVIS  
1817 BAYHILL DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1822 BAY HILL  
ROCKWALL, TX 75087

KHABAZ ALLEN BLEEDO  
1827 BAYHILL DR  
ROCKWALL, TX 75087

REED LARRY K  
18333 ROE HAMPTON #323  
DALLAS, TX 75252

LAZY DALE PARTNERS LP  
202 N SAN JACINTO ST  
ROCKWALL, TX 75087



AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
30601 AGOURA ROAD SUITE 200  
AGOURA HILLS, CA 91301

CUTLER ELDON GEORGE & THALIA LONE  
40161 E 179TH STREET  
KINGSVILLE, MO 64061

VILLARREAL GLORIA M & JOSE C  
4914 W 106TH ST  
OAK LAWN, IL 60453

OH SINEUI  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO. LTD  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

OPEN HOUSE TEXAS REALTY & INVESTMENTS  
LLC  
5050 QUORUM DRIVE SUITE 120  
DALLAS, TX 75254

CRETI DANIEL AND MARTHA TRUST  
550 S SILVERADO WAY  
ANAHEIM, CA 92807

WILLIS RUTH HAYNES  
6168 PRESTONDELL DR  
DALLAS, TX 75240

BREEN ROBERT AND LAURA  
661 JUSTIN RD  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
915 SUNSET HILL DRIVE  
ROCKWALL, TX 75087



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

*Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, August 11, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 17, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, August 17, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2020\_030

Please place a check mark on the appropriate line below: \*



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

It does not cause any problems in our neighborhood.

## Respondent Information

Please provide your information.

## First Name \*

William and Kyoko

## Last Name \*

Boone



Address \*

1756 Lake Breeze Dr

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

wrboone@hotmail.com

Phone Number

214-641-2988



Please check all that apply: \*



I live nearby the proposed Zoning or Specific Use Permit (SUP) request.



I work nearby the proposed Zoning or Specific Use Permit (SUP) request.



I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.



I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.



Other: .....

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*



I received a property owner notification in the mail.



I read about the request on the City's website.



I saw a zoning sign on the property.



I read about the request in the Rockwall Herald Banner.



My neighbors told me about the request.



Other: .....

This content is neither created nor endorsed by Google.

Google Forms



Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

See attached explanation of Request to deny.

Name:

ARTHUR AKEND

Address:

1751 Bay Watch, Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE




To: Mr. Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 South Goliad Street  
Rockwall, Texas 75087

From Arthur Akard  
1751 Bay Watch Drive  
Rockwall, Texas 75087

Ref: Case No, Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

I would like to register my opposition to the zoning variance request for an accessory building at 1748 Lake Breeze Drive, Rockwall, Texas 75087. Such a structure would be visible from the street as well as from the neighboring houses and it would detract from the overall appearances of the neighborhood. Additionally, it could very well block views of Lake Ray Hubbard for many of the surrounding house which people paid a premium to live in this neighborhood for. But most concerning it it would cause a decrease in the value of the surrounding houses due to negative aesthetic impact on the neighborhood. This in turn would mean reduced revenue for the county and school district via property taxes. Please deny the request.

If you have any questions or need clarification on my position, please feel free to mail me at the above address.



Arthur Akard



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

*Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breezy Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, August 11, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 17, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, August 17, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning

USE THIS QR CODE  
TO GO DIRECTLY  
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

Please place a check mark on the appropriate line below:

- ☒ I am in favor of the request for the reasons listed below.  
☐ I am opposed to the request for the reasons listed below.

Mr. Klecha has done a considerable amount of research and invested money to have a successful project that will look good and enhance his property. I am in favor of approving this request!

Name: Doug Hamilton  
Address: 1774 Bay Watch Dr. Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

**Please place a check mark on the appropriate line below:**

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

So long as the construction meets safety & industry standards, the property should be authorized for an Accessory Building. It's their property and they should have the right to develop or build on the land.

Name:

ROBIN & ERIC MATHIAS

Address:

1011 HILLCREST GR, ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

A new cedar fence has been installed at the rear of the property, so the new structure will not be very visible from the front street or rear alley way.

Name:

TRUMAN JOSEPH BARBER

Address:

1791 Bay Hill Dr. Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



Mark Klecha  
1748 Lake Breeze Drive  
Rockwall, TX 75087

To the Committee Board,

Thank You for taking the time to consider my special use permit application. I wanted to write to the board to explain my situation in hopes that it will answer any questions you may have on my project.

A quick background on what I am trying to do. I have been completing multiple home improvement projects around my home while I have the down time with the current pandemic situation; a new fence and an added driveway to be exact. During a pre-pour concrete inspection, I asked the Rockwall City Inspector to take a look at a potential location in my yard for a detached garage/workshop to get his inputs on what the requirements would be to build it. Because my yard has a drastic slope to it, he said this location would require an addition of a retaining wall and a concrete slab. He explained the property line set backs and how far the structure would need to be from our home. As well as all the precautions for underground water, sewer, gas and electric, which I had the city come out and inspect before I began the project. The inspector also showed me where to find additional information for specific permit requirements on the Rockwall website, which is what I have used as a template to start my project.

Armed with this knowledge I pulled permits for the retaining wall and concrete slab, all of which were approved by the city. That work is now complete and can be seen in the attached photos. I am finishing up the stone veneer around my concrete retaining wall and plan to have the final inspection done upon completion of the stonework. The concrete slab is also complete and has been finalized by the city. I have been fully transparent about my intentions to build this structure and have asked many questions along the way to ensure I was doing it according to city requirements. It wasn't until now that anyone mentioned the square footage limitations I was going to run into.

Fast forward to now. I applied for the permit to begin building the structure and this is where things took a surprise turn for my project. This is technically a detached garage, which affords me up to a 625 sq/ft structure per the city permit requirements. However, I was told in order to permit it as a detached garage, I would need a 12' wide driveway poured to the garage door (which is not mentioned anywhere on the "City of Rockwall Permit Requirements for Residential Portable, Accessory Buildings, Detached Garages and Carports" page). Due to the location of the structure on my property (see attached site plot), it would not be feasible or aesthetically pleasing to pour that much concrete through my backyard. So because of that one requirement, I must permit this



structure as an accessory building, which now forces me to limit the size of the building to 144 sq/ft. My structure will be approximately 360 sq/ft (see attached plan drawings). So I find myself in a sort of play on words where one allows me to build the structure while also requiring a lot of concrete and the other limits the square footage of the structure. This is why my application is in front of you today. If I wanted to pour a driveway through my backyard, I could technically get a detached garage permit and be able to build the structure without a special use permit. However, that would be cost prohibitive and quite frankly, not at all appealing for my back yard. I would think we can all agree on that?

Having said all of that, please allow me to explain how this structure will be an improvement to my property and all of the precautions I have taken to ensure my neighbors and the location of the structure have been taken into account. I have spoken to my neighbor on that side of my property about my plans and what I am doing. They fully support it and are even willing to sign a letter, if needed, to help this process along. My property also has two large oak trees located in front of and behind where this structure will be built (see attached photos) and they will block the majority of the structure from both the street and alley view. I also have a brand new 8' fence to block it from view as much as it can. I designed the structure to tie in with the architectural elements of our home so that it will not be an eyesore to the neighborhood.

I am asking for your consideration and approval of this permit. I began this project based on the information given to me by the Rockwall City Inspector and the information presented on the Rockwall website for permit requirements. I made large financial decisions based on that information and now find myself in this conundrum of what appears to be, in my opinion, a technicality on words vaguely defining what a structure is and the subsequent surrounding requirements that aren't completely defined on the permit requirements page (i.e. detached garage vs accessory building). At this point I have invested over \$7,000 dollars to build the retaining wall and the concrete slab for this structure. To be denied this special use permit at this point would be very unfortunate and put me in a tough situation.

I am hopeful that you will see my due diligence in using the city professionals and resources prior to beginning this project. I am asking for your help to see this project to its completion.

Again, Thank You for your time and consideration on this matter. If you have any questions or need more information, please contact me at (402) 315-8387 or markklecha@hotmail.com.

Warm Regards,

A handwritten signature in black ink, appearing to read "Mark Klecha". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.



# CITY OF ROCKWALL

## PERMIT REQUIREMENTS FOR RESIDENTIAL PORTABLE, ACCESSORY BUILDINGS, DETACHED GARAGES & CARPORTS.

A permit is required to erect portable or accessory buildings, detached garages and carports. Requirements are as follows:

1. Permit application
2. Site plan or property Survey – showing the location, size of the building (length, width, height), and the setbacks (distance) from the property line(s) and other structures on the property.
3. Buildings with concrete slabs will require two inspections & should not be located over a gas line. Buildings with electrical, Plumbing or mechanical need to be inspected before covered, such as with sheet-rock.
4. The permit fee is based on the square footage .

### SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings <sup>1 &amp; 3</sup>					Portable Accessory Building 0 SF – 120 SF <sup>8</sup>	Detached Garage <sup>8 &amp; 9</sup>	Carports <sup>7 &amp; 8</sup>
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 &	Two Family (2F) District			
Zoning Districts or Accessory Structure Type <input type="checkbox"/>									
Development Standards <input type="checkbox"/>									
Number of Accessory Structures or Number of Specific Accessory Structure		2 <sup>2</sup>	2 <sup>2</sup>	2 <sup>2</sup>	2	1	1	1	1
Maximum SF of Accessory Structure <sup>5</sup>		1,000 <sup>2</sup>	1,000 <sup>2</sup>	1250 <sup>2</sup>	144 <sup>6</sup>	100	120	625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	3	3	3	20 <sup>5</sup>	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet)		15	15	15	15	10	10	15	15

### ADDITIONAL REQUIREMENTS:

- ★ 1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- 2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- ★ 3: Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.
- ★ 4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- ★ 5: Accessory buildings and structures not meeting the size requirements stipulated by the section shall require a Specific Use Permit (SUP).
- ★ 6: Each property shall be permitted one (1) detached garage up to 625 SF and one (1) accessory building up to 144 SF.
- 7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- ★ 8: Two (2) story accessory buildings or structures shall be prohibited.
- ★ 9: Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

★ NO MENTION OF REQUIRED 12 FOOT DRIVEWAY TO QUALIFY AS A "DETACHED GARAGE"

★ NOTE 5 IS SORT OF HIDDEN AND NOTE 6 MAKES IT APPEAR THAT I WAS MEETING THE INTENT WITH MY STRUCTURE.



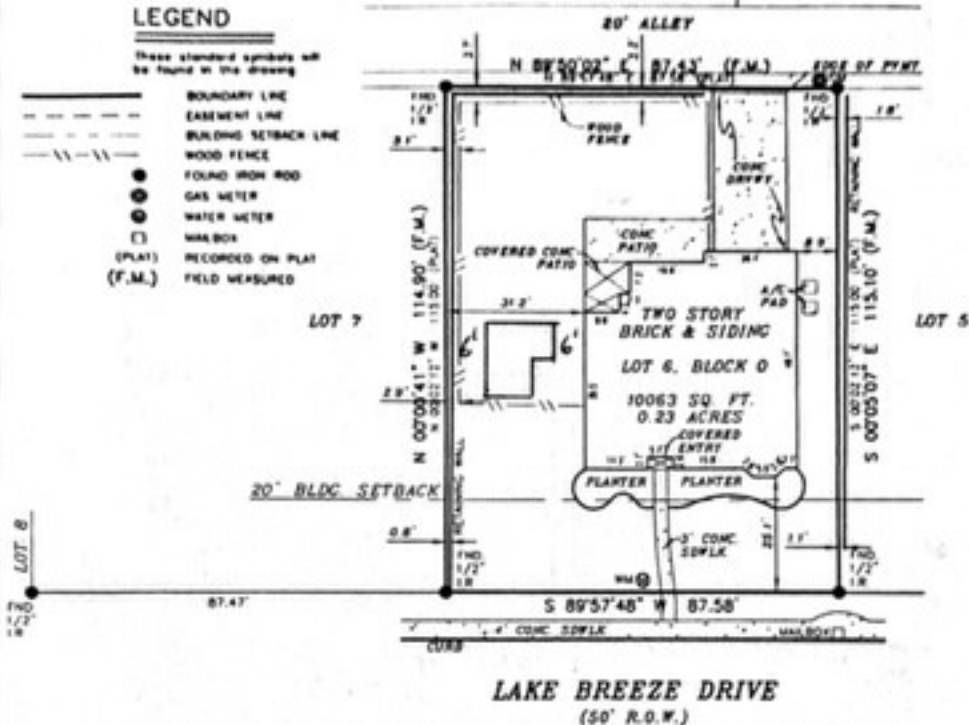
LOF 24

LOT 24

### LEGEND

These standard symbols will be found in the drawing.

- |                 |                       |
|-----------------|-----------------------|
| —————           | BOUNDARY LINE         |
| --- -- -- -- -- | EASEMENT LINE         |
| -----           | BUILDING SETBACK LINE |
| --- \ / \ / \ / | WOOD FENCE            |
| ●               | FOUND IRON ROD        |
| ⊗               | GAS METER             |
| ⊙               | WATER METER           |
| □               | MAILBOX               |
| (PLAT)          | RECORDED ON PLAT      |
| (F.M.)          | FIELD MEASURED        |



LAKE BREEZE DRIVE  
(50' R.O.W.)

#### LEGAL DESCRIPTION

BEING LOT 8, BLOCK 8 OF HILLCREST SHORES,  
AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY,  
TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN  
CABINET C, SLIDE 199, PLAT RECORDS, ROCKWALL COUNTY,  
TEXAS.

**FLOOD INSURANCE NOTE** By graphics plotting only, this property is in ZONE X of the Flood Insurance Rate Map, Community Panel No. 18375-0030-1, effective date of SEPTEMBER 26, 2009. Exact designations can only be determined by a Elevation Certificate. Based on the above information, this property is NOT in a Special Flood Hazard Area.

SURVIVOR'S MAIL  
BASED ON BEARING, RECORDED  
PLAY UNLESS OTHERWISE NOTED

**GRAPHIC SCALE**



I, BOY JOHN BONNFELDT, a Registered Professional Land Surveyor in the State of Texas  
do hereby certify to NEXTER-FAIR TITLE COMPANY  
and

that the above map is true and correct according to an actual field survey, made by me on the ground and under my supervision, the property shown herein as decided by said survey incorporating this drawing I further certify that all easements and rights-of-way of which I have been advised are shown herein and that, except as herein indicated, there are no visible encroachments, visible overlapping of improvements, no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey, and further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.08) (a) (1) (a) (2) (a) (3) (a) (4) (a) (5) (a) (6) (a) (7) (a) (8) (a) (9) (a) (10) (a) (11) (a) (12) (a) (13) (a) (14) (a) (15) (a) (16) (a) (17) (a) (18) (a) (19) (a) (20) (a) (21) (a) (22) (a) (23) (a) (24) (a) (25) (a) (26) (a) (27) (a) (28) (a) (29) (a) (30) (a) 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SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN  
VOLUME 941, PAGE 174, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS  
VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS

PROPERTY PHOTOGRAPHY



FINAL "AS-BUILT" SURVEY

JOB NO	1105006387	NO	REVISION	DATE
DATE	03/27/11			
DRAWN BY	WJL/YW			
APPROVED BY	RJR			

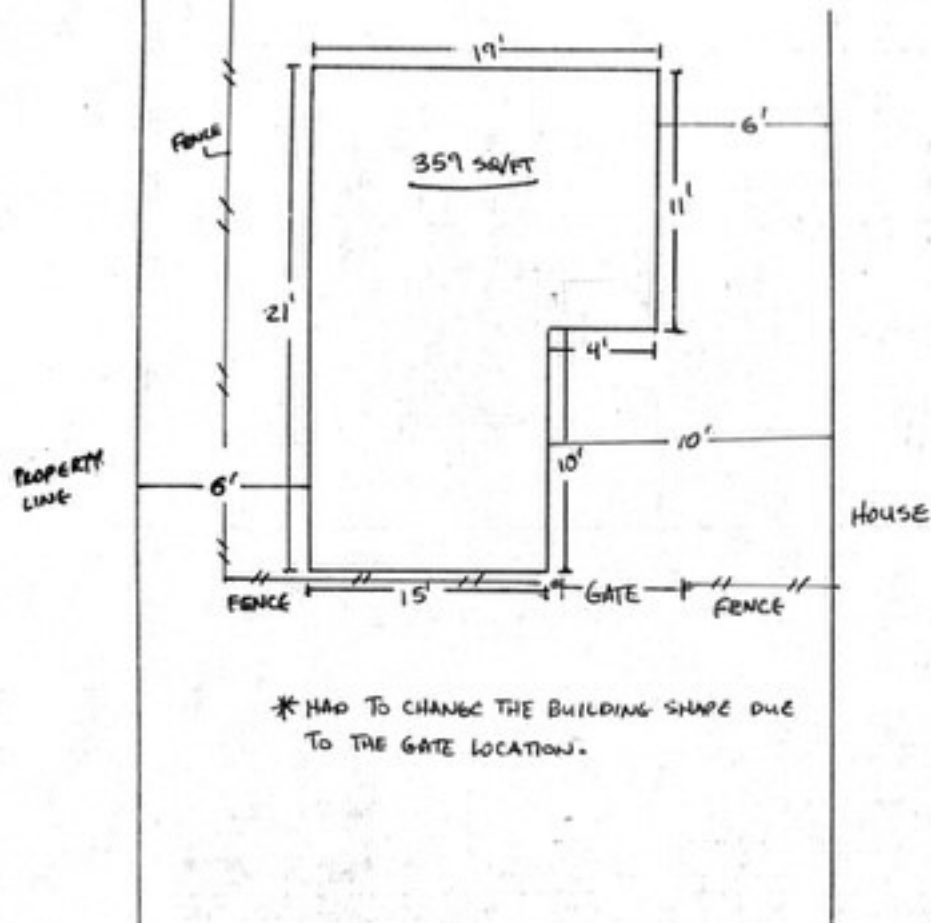


*Roy John Bonfield*  
ROY JOHN BONFIELD, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 3520



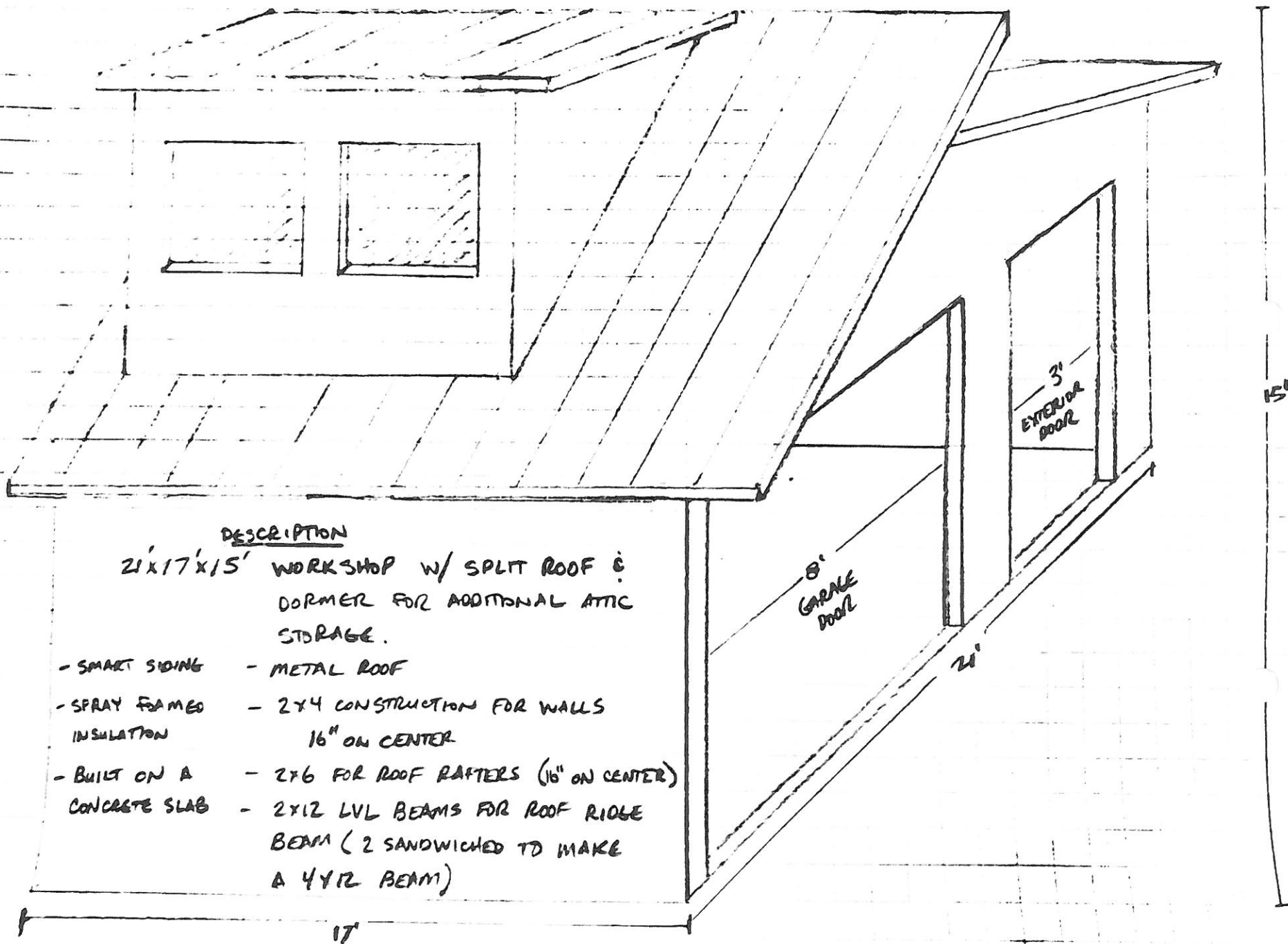
\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS.

\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FORBES EMAIL)

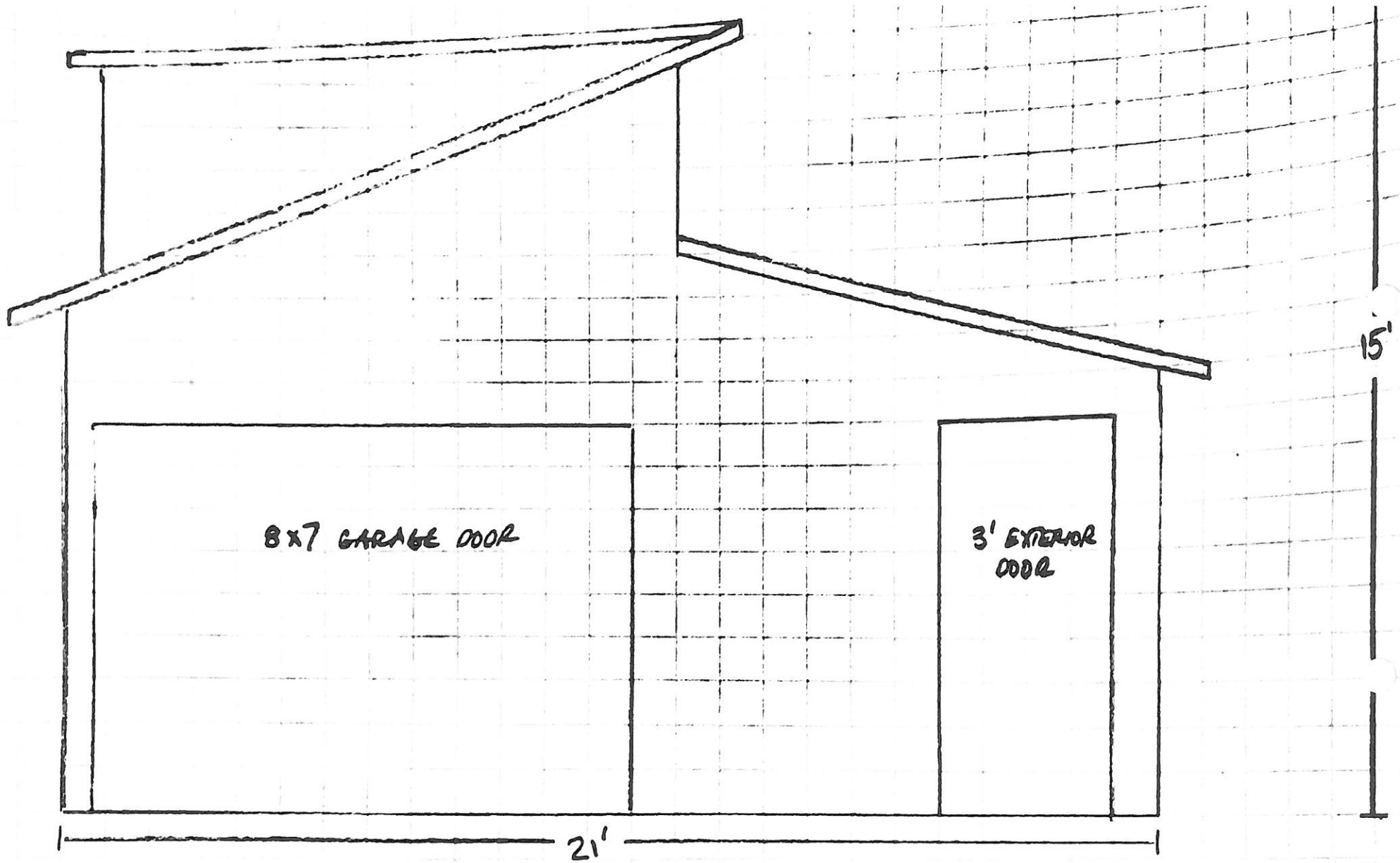


\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.











PROPERTY LINE

RETAINING WALL

3' SET  
BACK

FENCE

NOTES:

- CONCRETE SLAB
- WORKSHOP WILL BE 3' FROM PROPERTY LINE &  
OVER 10' FROM MY HOUSE.
- 357' SQUARE FEET

FENCE

17'

21'

10' SET  
BACK  
FROM  
HOME



\* STRUCTURE WILL BE MOSTLY COVERED  
WITH FENCE AND OAK TREES FROM THE  
FRONT AND BACK









CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an Accessory Building that exceeds the maximum allowable size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth



in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

## 2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 360 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## 2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.



PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020



**Exhibit 'A'**  
**Zoning Exhibit**

Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition





## Exhibit 'B': *Site Plan*

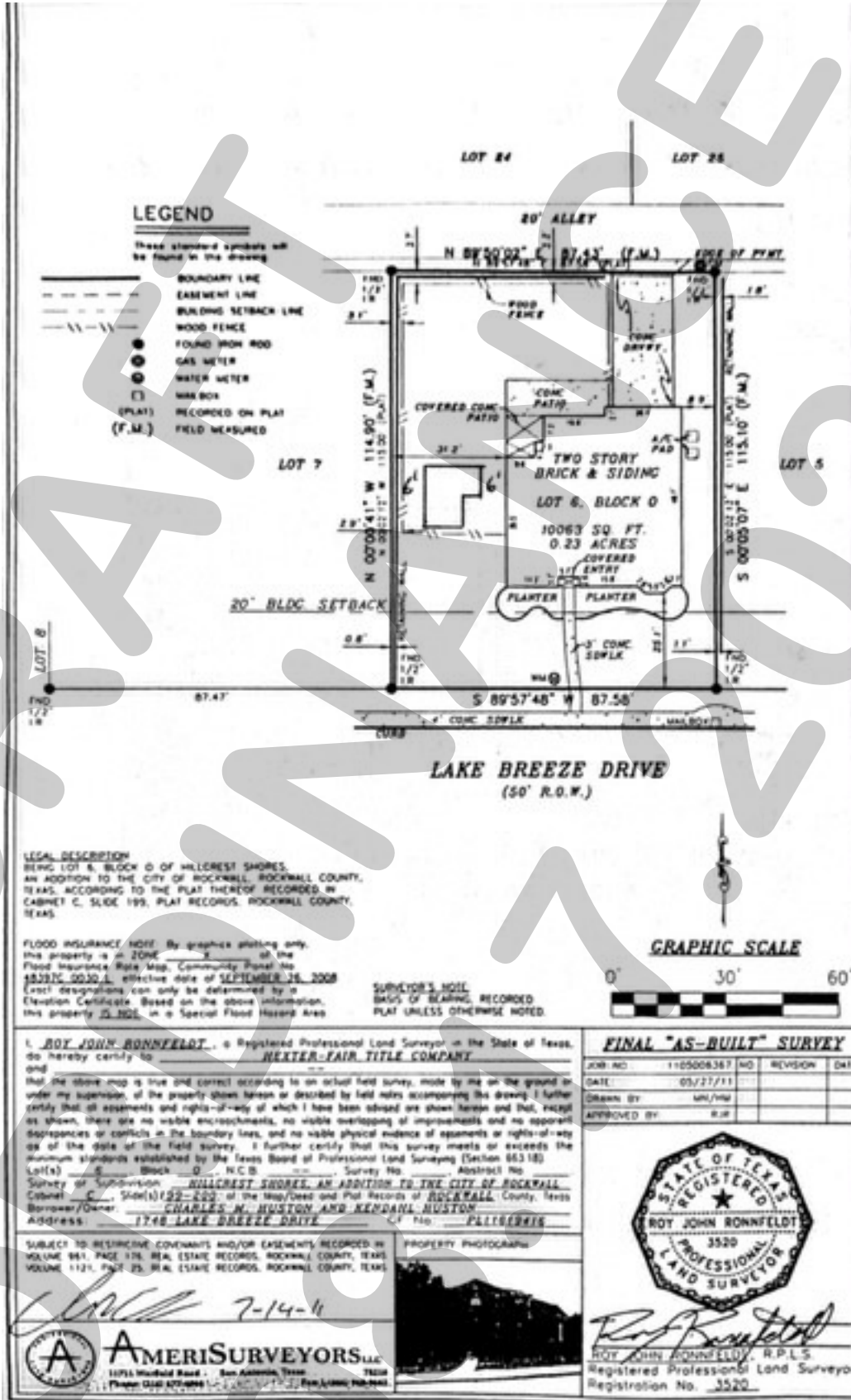
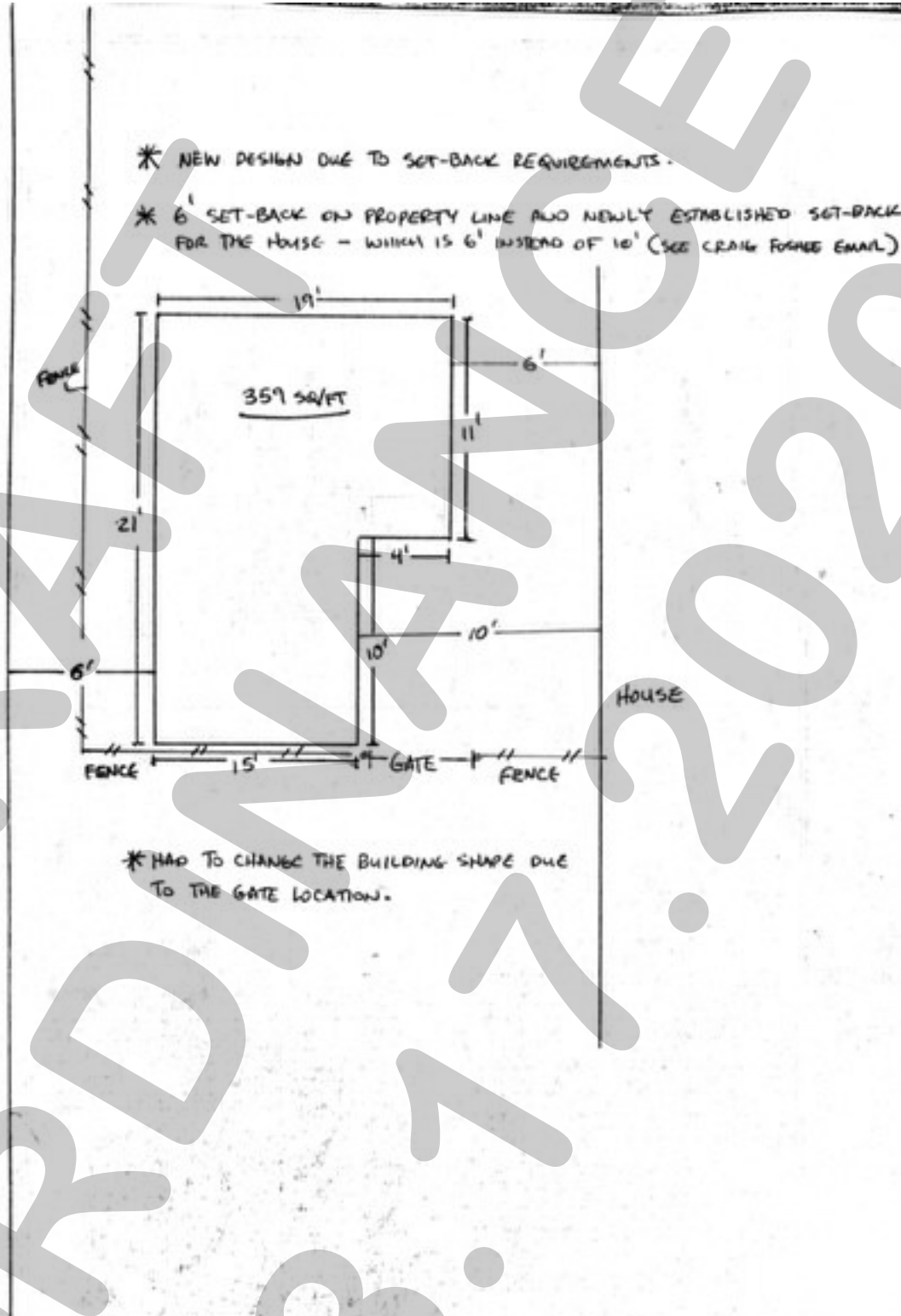


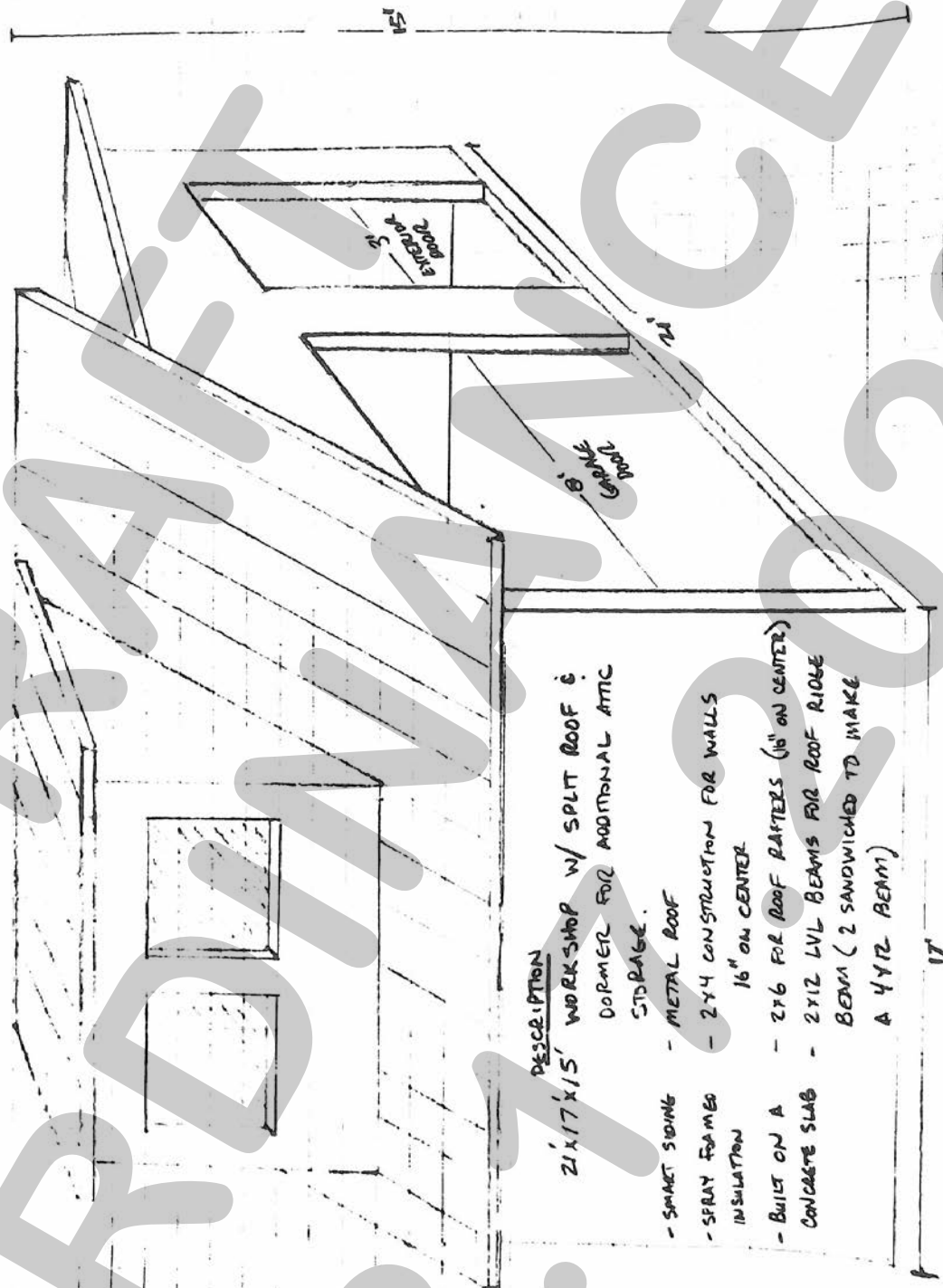


Exhibit 'B':  
Site Plan





**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*





# MINUTES



PLANNING AND ZONING COMMISSION MEETING  
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS  
AUGUST 11, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

## I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:03 PM. Commissioners present were John Womble, Tracey Logan, Sedric Thomas, Annie Fishman, and Mark Moeller. Absent from the meeting was Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, and Civil Engineer Jeremy White. Absent from the meeting were City Engineer Amy Williams and Civil Engineer Sarah Johnston.

## II. OPEN FORUM

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no one coming forward, Chairman Chodun closed the open forum.

## III. APPOINTMENTS

1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

Planning and Zoning Director Ryan Miller gave a brief explanation concerning the agenda items that were discussed at the Architectural Review Board meeting.

## IV. CONSENT AGENDA

2. Approval of Minutes for the July 28, 2020 Planning and Zoning Commission meeting.

3. **SP2020-012 (DAVID GONZALES)**

Discuss and consider a request by Cody Johnson of Cody Johnson Studio, LLC on behalf of Jose Campos of Hines for the approval of a Site Plan for the *amenities center* for the Saddle Star Estates Subdivision being a 0.782-acre portion of a larger two (2) acre tract of land identified as Tract 1 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 Bypass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

4. **SP2020-017 (DAVID GONZALES)**

Discuss and consider a request by Jimmy McClintock of HWY 66 Properties, LP for the approval of a Site Plan for an *office building* on a 0.28-acre parcel of land identified as Lot 2-R, Block A, Washington Place Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 407 W. Washington Street, and take any action necessary.

Commissioner Sedric Thomas made a motion to approve the consent agenda. Commissioner John Womble seconded the motion which passed by a vote of 6-0 with Vice-Chairman Welch absent.

## V. PUBLIC HEARING ITEMS

5. **Z2020-030 (RYAN MILLER)**

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting approval of a Specific Use Permit (SUP) of an accessory building that exceeds the maximum square footage. According to the Unified Development Code (UDC), an accessory building in a Single-Family 10 (SF-10) District is limited to 144 square feet with a 3-foot rear setback, a 6-foot side setback, and a 15-foot total overall height. The structure is also required to be 6-feet from the primary structure. According to the new plans provided, the applicant is now in compliance with all setback and height requirements even though the structure itself is 359 square feet. The exterior of the structure is going to be a smart lap-siding and a standing seam metal roof which will be complimentary to the primary structure. Any approval of a specific use permit is a discretionary decision for the City Council pending a



58 recommendation from the Planning and Zoning Commission. In accordance with all zoning case, Staff sent out 100 notices to property  
59 owners and residents within 500-feet of the subject property on July 23, 2020. Any Homeowners Associations within 1500- feet of the  
60 property were also notified. Mr. Miller mentioned that one of the conditions of approval of this case was that the applicant was required,  
61 if approved, to submit a letter from a structural engineer certifying that the recently built retaining wall can support that building's weight  
62 before a building permit is issued. Mr. Miller advised the Commission that the applicant and Staff were present to answer questions.  
63

64 Commissioner Logan had a question in regards to the retaining wall on the property and on the carports on the area.

65 Commissioner Womble had a question in regards to the property blocking the lake views.

66  
67 Commissioner Fishman asked if this was the only accessory structure on the property and, if approved, would it limit the applicant to  
68 have additional ones in the future.  
69

70 Chairman Chodun asked the applicant to come forward.  
71

72  
73 Mark Klecha  
74 407 W. Washington Street  
75 Rockwall, TX 75087  
76

77 Mr. Klecha came forward and was prepared to answer additional questions.

78  
79 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time.  
80

81 Doug Hamilton  
82 1774 Baywatch Drive  
83 Rockwall, TX 75087  
84

85 Mr. Hamilton came forward and provided a brief history of himself and his property and explained that the structure would not obstruct  
86 the lake views from the property. He expressed his favor in regards to the request.  
87

88 Chairman Chodun asked if there was anyone else who wished to speak. There being no one doing such, Chairman Chodun closed the  
89 public hearing and brought the item back to the Commission for discussion or action.  
90

91 Commissioner Logan expressed her opposition to the size of the accessory structure.  
92

93 Commissioner Moeller shared concerns with Commissioner Logan in regards to size but understood there was confusion surrounding  
94 the case and why the applicant started the process beforehand.  
95

96 Commissioner Womble expressed his opposition in regards to the size of the structure as well.  
97

98 Chairman Chodun expressed his being in favor of the request.  
99

100 Commissioner Moeller made a motion to approve item Z2020-030 with staff recommendations. Commissioner Fishman seconded the  
101 motion which passed by a vote of 4-2, with Commissioners Logan and Womble dissenting.  
102

103 Chairman Chodun advised the applicant that the case would go before the City Council on August 17, 2020.  
104

105 6. **Z2020-031 (RYAN MILLER)**

106 Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T.  
107 Rockwall 2017, LLC for the approval of a Zoning Amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39]  
108 for the purpose of amending the development standards contained in Ordinance No. 16-39 for a 70.408-acre tract of land  
109 identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas,  
110 zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-  
111 Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King  
112 Boulevard and Featherstone Drive, and take any action necessary.  
113

114 Planning and Zoning Director Ryan Miller provided a brief background in regards to the request. The property was originally zoned in  
115 2016 and is commonly referred to Saddle Star Estates South. At the time of approval, the original zoning allowed 113 lots that were 70 x  
116 125-foot and all the garage orientations were either a traditional swing or j-swing with both of these conforming to the requirements of  
117 the Unified Development Code at that time. In October of 2016, the applicant requested to amend the Planned Development district to  
118 add 25 lots along with adding additional area to the Planned Development district. Along with this request, the applicant also requested  
119 to allow 80% front entry garages in the subdivision and was ultimately approved 50% front entry by the City Council. In September 2019,  
120 the applicant submitted a subsequent request to amend the Planned Development District to add 38 additional lots to bring the total to  
121 176 lots. All of the proposed 80x100 foot lots were to have a traditional swing or j-swing orientation. The request brought before the  
122 Commission tonight is for the applicant to have the ability have 30% of the lots in a flat front entry format. The remaining 70% of the lots  
123 are to be either in a traditional swing or modified swing format. Mr. Miller then explained the four (4) different format for the garages



Commissioner Chodun stated that he was in agreeance with the Commissioners and he knew the applicant's intentions were good but maybe the applicant need to have more discussions with the City to reach a resolution.

Commissioner Logan then asked for clarification on what exactly they were voting on.

Mr. Miller explained that the approval would be of incidental display. And the applicant would be requesting 5 variances and it would cause 10 compensatory measures.

Mr. Miller explained that the applicant is requesting to amend the site plan to add the incidental display. Incidental display has very specific standards in the Code. What the applicant is requesting to do is similar to outside sales which are not allowed and the only way to facilitate it would be through the incidental display. The incidental display outlines exactly what you can and cannot do and the applicant does not meet the majority of those requirements. Each one that he does not meet is a variance or exception and the only way to request exceptions in the code is to provide offsetting compensatory measures. In this case, the applicant is requesting five (5) variances and, in order to meet the code, he would need to provide ten (10) offsetting compensatory measures. There is not enough space for him to be able to meet those measures so he is basically requesting the exceptions not in conformance to the code. What the Commission would be approving would be a request that doesn't conform to the incidental display requirements.

Commissioner Womble made a motion to deny item SP2020-015 without prejudice. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

## VII. DISCUSSION ITEMS

### 11. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

- P2020-028: Replat for Lot 9, Block A, Bodin Industrial Tract [APPROVED]
- Z2020-023: SUP for *Residential Infill Adjacent to an Established Subdivision* for 54 Shadydale Lane [APPROVED; 2<sup>ND</sup> READING]
- Z2020-024: Zoning Amendment to Planned Development District 78 (PD-78) [APPROVED; 2<sup>ND</sup> READING]
- Z2020-025: SUP for a *General Retail Store and Hair Salon and/or Manicurist* for 507 N. Goliad Street [APPROVED; 2<sup>ND</sup> READING]
- Z2020-027: SUP for a *General Retail Store and Banquet Facility/Event Hall* for 803 N. Goliad Street [APPROVED; 2<sup>ND</sup> READING]
- Z2020-028: Zoning Amendment to Planned Development District 10 (PD-10) [APPROVED; 2<sup>ND</sup> READING]
- Z2020-029: Zoning Change (AG to SFE-2.0) [APPROVED; 2<sup>ND</sup> READING]

Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.

## VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:25 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this  
25 day of August, 2020.

Attest:

Angelica Gamez, Planning and Zoning Coordinator

Eric Chodun, Chairman





# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 17, 2020 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd. City Attorney Frank Garza joined Ex. Session via telephone. Councilmember Dana Macalik arrived to the meeting and joined Ex. Session at 5:05 p.m.

### II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section 551.071 (Consultation with Attorney)

**Consent Agenda Item # 2.** Consider approval of an ordinance reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. (2nd Reading)

**Action Item #1. P2020-029** - Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a Preliminary Plat for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action necessary. pursuant to Section 551.071 (Consultation with Attorney)

### III. ADJOURN EXECUTIVE SESSION

Council adjourned from Ex. Session at 5:25 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:02 p.m. with all seven city council members being present.

### V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER CAMPBELL



CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

**X. PUBLIC HEARING ITEMS**

1. **Z2020-030** - Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of an ordinance for a *Specific Use Permit (SUP)* for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners located within 500' of the subject property, with four notices having been received back in favor and one notice received in opposition.

Mayor Pruitt opened the public hearing. The applicant briefly came forth and indicated he would be happy to answer any questions council may have. There being no one else wishing to come forth and speak, Mayor Pruitt then closed the Public Hearing.

General discussion ensued pertaining to the applicant's request and what he is wanting to do. Extensive discussion also took place pertaining to the way the city's code(s) is currently written pertaining to these types of structures and if, potentially, those regulations need to be changed.

Mayor Pro Tem Fowler moved to approve Z2020-030. Mayor Pruitt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.



unanimously of those present. Johannesen then moved to newly appoint to the Park Board Amanda Fowler (to replace Charles Johnson). Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes to 1 abstention (Fowler).

Mayor Pro Tem Fowler moved to reappoint Steve Albers and Gary Freedman to the Animal Advisory Board. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Campbell moved to appoint Gary Cannavo to the Main Street Advisory Board (to replace Stuart Smith for a term to expire in Jan. of 2022). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**XII. EXECUTIVE SESSION.**

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

Council did not convene in Ex. Session following the close of the public meeting agenda.

**XIV. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 7:36 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  
8<sup>th</sup> DAY OF SEPTEMBER, 2020.**

  
JIM PRUITT, MAYOR

**ATTEST:**

  
KRISTY COLE, CITY SECRETARY







# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, September 08, 2020 - 4:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Legal Counsel, Patrick Lindner.

### II. WORK SESSION

1. Hold a work session on itinerant vendors to discuss and consider changes to Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, and take any action necessary.

Planning Director, Ryan Miller, briefed the Council on proposed changes to this portion of the Code, mainly related to changes associated with itinerant vendors. Council took no action concerning this work session item at this time. However, Mayor Pruitt pointed out that this topic is listed as an "Action Item" on tonight's agenda. Council members generally indicated that they would like to take action on this later this evening.

2. Hold a work session on residential accessory structures to discuss changes to Article 05, *District Development Standards*, of the Unified Development Code (UDC), and take any action necessary.

Planning Director, Ryan Miller, briefed Council on this topic. No action was taken as a result of this work session discussion. Indication was given that staff will bring forth formal changes to the ordinance provisions at a future Council meeting.

Mayor Pruitt read the following discuss items into the public record before recessing the meeting to go into Executive Session at 4:53 p.m.

### III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)



Mayor Pruitt provided brief comments pertaining to the RCAD in general and to this proposed expansion request. He expressed that he believes this request is needed and reasonable.

Councilmember Johannesen moved to approve the RCAD's expansion proposal, as presented. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Hohenshelt).

## **XII. PUBLIC HEARING ITEMS**

1. Hold a public hearing to receive comments regarding the Proposed FY2021 City of Rockwall Budget and tax rate and take any action necessary.

City Manager Rick Crowley provided introductory comments pertaining to this agenda item. He generally indicated that this budget reflects a very conservative approach, especially in light of COVID-19 and its potential impacts on the local economy. He went on to explain that the city's charter does allow for budget amendments, so staff will remain mindful of this and will be sure to come to Council, accordingly, should the need for amendment requests arise.

Following Mr. Crowley's comments, Mayor Pruitt shared that a work session on the budget was held with staff and Council about two weeks ago.

Mrs. Mary Smith, Assistant City Manager/Finance Director, then provided comments, sharing a little more details regarding 'numbers' associated with both the budget and proposed tax rate.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Bob Wacker  
309 Featherstone Drive  
Rockwall, TX

Mr. Wacker came forth and shared that he lives in a very vibrant area of the city. He generally encouraged that the City consider finding additional revenue sources in the future. He acknowledged that City of Rockwall residents enjoy one of the lowest (total) tax bills of any other place/county in the area. He thanked the Council for all it does.

There being no one else wishing to come forth and speak, Mayor Pruitt closed the public hearing.

Mayor Pruitt moved to advertise the adoption of the tax rate on September 21, 2020 at a rate of .3700 per \$100 of valuation. Mayor Pro Tem Fowler seconded the motion. Following brief, clarifying comments, the motion passed by a vote of 6 ayes to 1 nay (Macalik).

## **XIII. ACTION ITEMS**

1. **2020-030** – Discuss and consider a request by Mark Klecha for the approval of an ordinance for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall,



Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (2nd Reading).

Mayor Pro Tem Fowler moved to approve Z2020-030. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:

**CITY OF ROCKWALL  
ORDINANCE NO. 20-34  
SPECIFIC USE PERMIT NO. S-231**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 5 ayes with 2 nays (Daniels, Macalik).

2. **P2020-031** - Discuss and consider a request by Kerry Joshua Sparks for the approval of a Final Plat for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.

Planning Director Ryan Miller provided background information pertaining to this agenda item. Councilmember Johannesen asked for clarification on the lot frontage requirements, and Mr. Miller provided said clarification.

Councilmember Johannesen moved to approve P2020-031. Councilmember Macalik seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).

3. Discuss and consider proposal from Republic Waste to extend the current Solid Waste Collection agreement and take any action necessary.

Mary Smith, Assistant City Manager / Finance Director, introduced Rick Bernas from Republic Waste. Mr. Bernas came forth and provided brief comments to Council, generally indicating that his company is requesting a five-year extension of the current contract. There has been about a 37% increase in residential volume since COVID-19 hit. He went on to share details of what Republic did for its own employees during COVID (i.e. buying lunch for its employees and their families (up to 4 people) every Friday and issuing gift cards to stimulate the local economy).



City Manager Rick Crowley pointed out that he gave each council member a handout related to the countywide roadway traffic consortium and its recent activities. He encouraged the Council to be thinking about what future roadway related projects it would like to see, as the consortium is seeking said input from each member entity that participates in these countywide roadway planning projects.

Mayor Pruitt then indicated that Council would be going back into Executive Session to address item #1 shown below. He recessed the public meeting to do so at 7:30 p.m.

**XV. EXECUTIVE SESSION.**

**THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:**

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

Council came out of Ex. Session and took no action.

**XVII. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 8:25 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21<sup>st</sup> DAY OF SEPTEMBER, 2020.**

  
JIM PRUITT, MAYOR

**ATTEST:**

  
KRISTY COLE, CITY SECRETARY





CITY OF ROCKWALL

ORDINANCE NO. 21-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 11 (PD 11) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE HEIGHT AND SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an *accessory building* that exceeds the maximum allowable height and size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated by *Ordinance No. 20-34* [*S-231*]; and,

**SECTION 2.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified



Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 3.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

### 3.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 570 SF (i.e. 330 SF – 1<sup>st</sup> floor & 240 SF – 2<sup>nd</sup> floor).
- (3) The *Accessory Building* shall not exceed a height of more than 16-feet, 6-inches.
- (4) The *Accessory Building* shall not be used as a guest quarters/secondary living unit.
- (5) The subject property shall not have more than one (1) accessory building.

### 3.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 5.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of



any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 8.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 7<sup>TH</sup> DAY OF JUNE, 2021.**

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: May 17, 2021

2<sup>nd</sup> Reading: June 7, 2021



**Exhibit 'A'**  
**Zoning Exhibit**

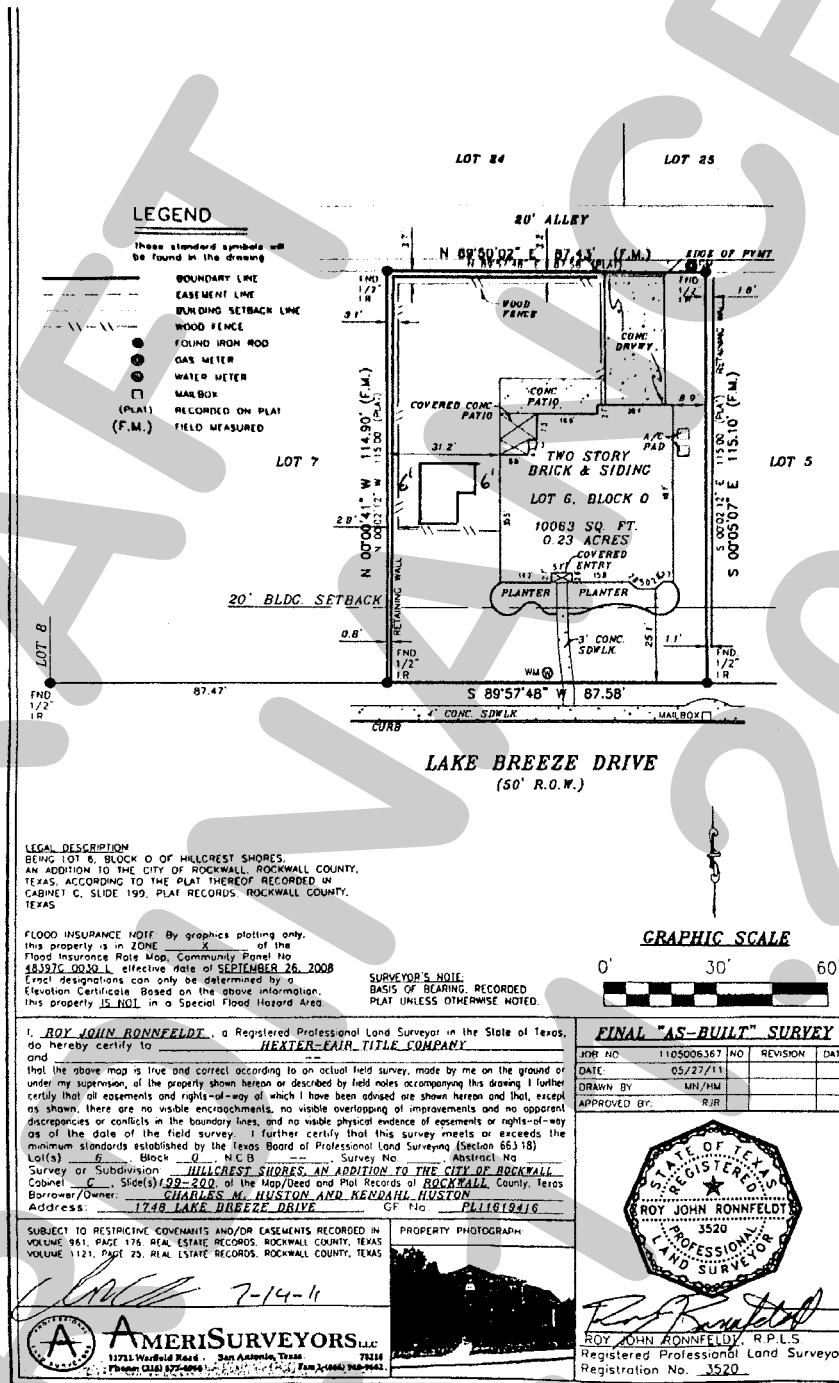
Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition





# Exhibit 'B': Site Plan

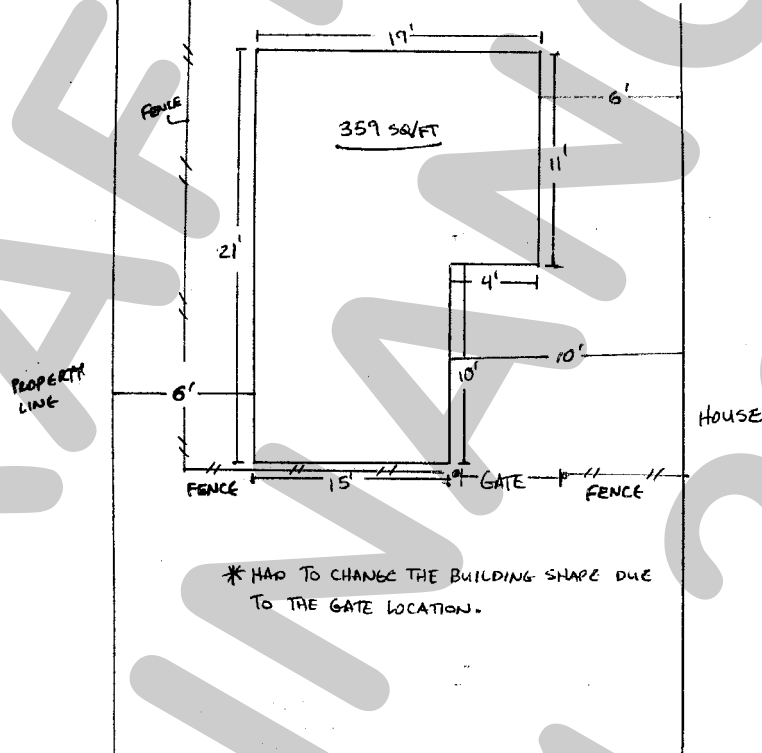




**Exhibit 'B':**  
*Site Plan*

\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS -

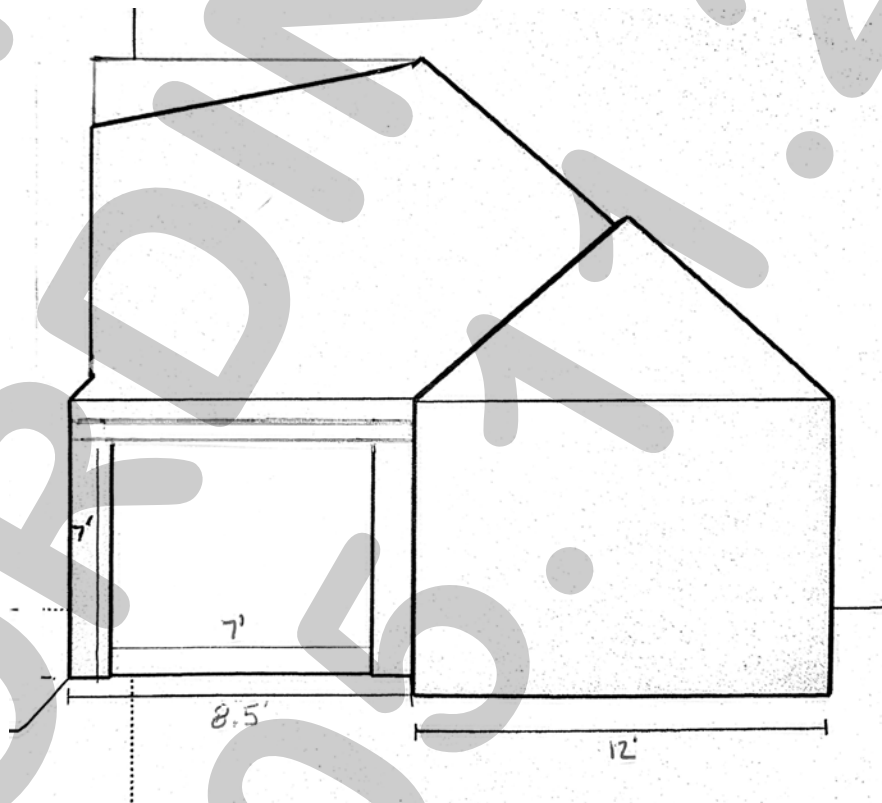
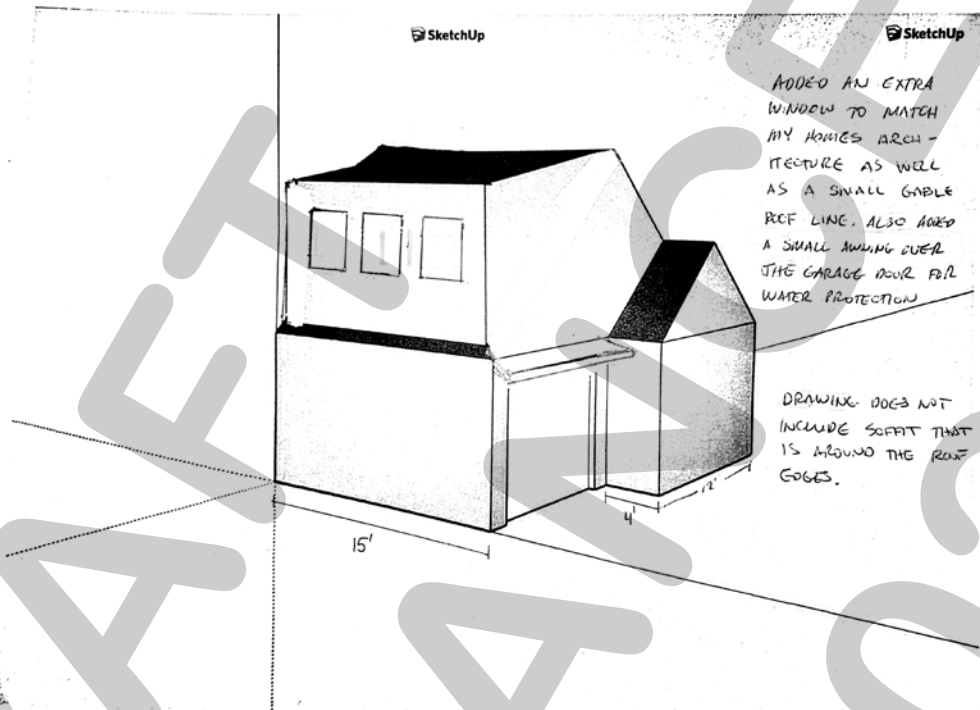
\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FORBEE EMAIL)



\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

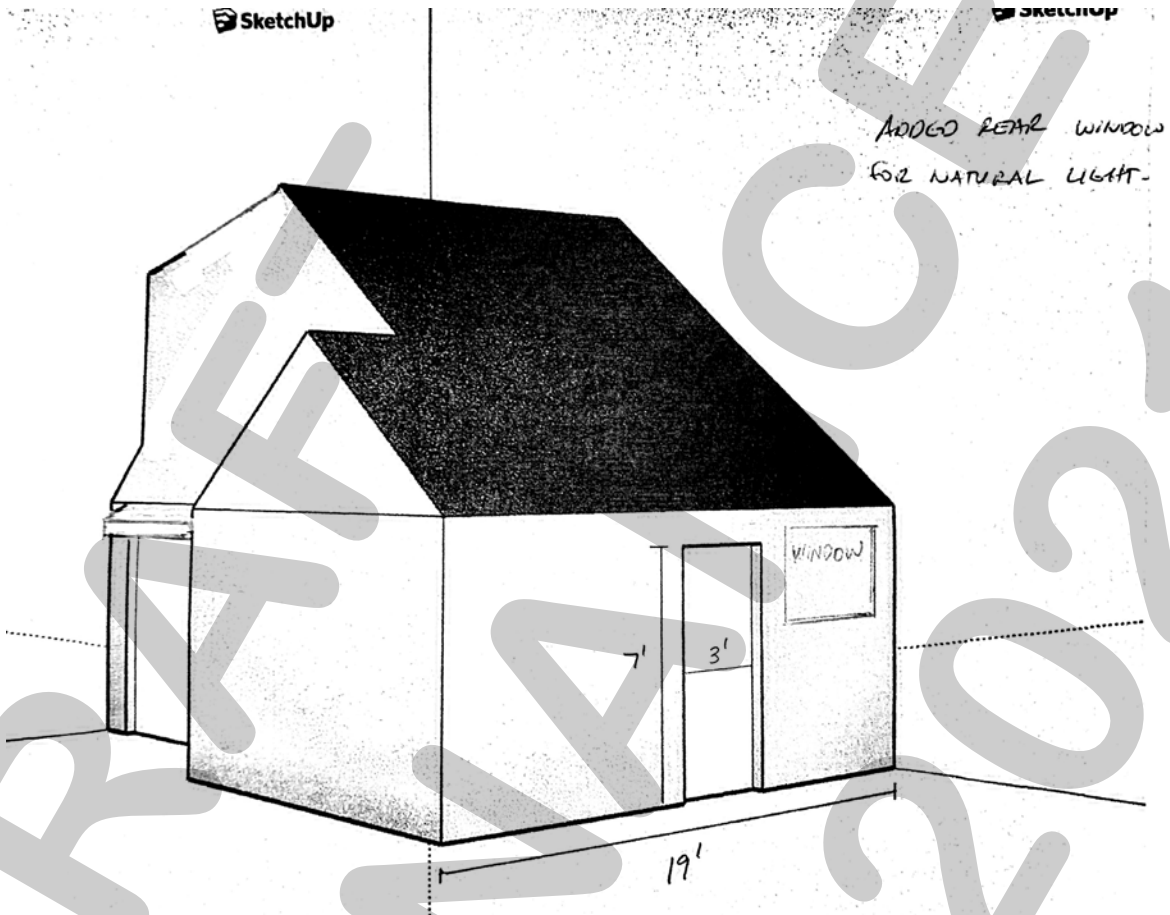


**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*







# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council

**DATE:** May 17, 2021

**APPLICANT:** Mark Klecha

**CASE NUMBER:** Z2021-010; *Specific Use Permit for an Accessory Building at 1748 Lake Breeze Drive*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) superseding *Ordinance No. 20-34* and allowing an accessory building that does not conform to S-231 [*Ordinance No. 20-34*] on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

### BACKGROUND

The subject property was originally annexed into the City of Rockwall on February 6, 1961 by *Ordinance No. 61-02*. According to the City's historic zoning maps the subject property was zoned Multi-Family 1 (MF-1) District as of January 3, 1972. By May 16, 1983, this designation had changed to Planned Development District 11 (PD-11) [*Ordinance No. 80-13*] for Single-Family 2 (SF-2) District land uses. On June 7, 1993, *Ordinance No. 93-11* changed the designation of the subject property within Planned Development District 11 (PD-11) to an area designated for Single-Family 10 (SF-10) District land uses [*Case No. PZ1993-020-01*]. The subject property was platted as Lot 6, Block O, Hillcrest Shores Addition on August 12, 1993 by *Case No. PZ1993-030-01*. According to the Rockwall Central Appraisal District (RCAD), situated on the subject property is a 2,649 SF single-family home that was constructed in 1995.

On July 16, 2020, the applicant -- *Mark Klecha* -- submitted an application requesting a Specific Use Permit (SUP) [*Case No. Z2020-030*] for an accessory building that was to exceed the maximum permissible size for an accessory structure. This application was required by the Building Inspections Department after the applicant began constructing a fence, concrete slab and retaining wall without receiving the proper building permits. Staff should note that the applicant did request the building permits [*i.e. BLD2020-0824, BLD2020-0951, BLD2020-0952, and RES2020-1870*], but commenced construction prior to being issued the approved building permits. The proposed accessory building was approved by the City Council on September 8, 2020 [*i.e. Ordinance No. 20-34, SUP No. S-231*] and allowed the construction of an accessory building that exceeded the maximum permissible size by 215 SF. As part of this approval, the applicant agreed to adhere to the following operational conditions, which were approved by the City Council and incorporated into the Specific Use Permit (SUP) ordinance: [1] the accessory building was to conform to the conceptual building elevations, [2] the accessory building was to be a maximum size of 360 SF, and [3] the applicant would only be permitted to have one (1) accessory building on the property. In addition, the applicant also agreed to: [1] remove existing accessory structure on the subject property, and [2] provide a letter from a structure engineer certifying that the recently built retaining wall was built to hold the weight of the accessory building, and that the retaining wall posed no structural risk to the existing three (3) foot retaining wall on the adjacent property. Staff should note that Mr. Klecha did remove the accessory building and provide the requested engineers letter.

Following the approval of the Specific Use Permit (SUP), the applicant was issued a building permit [*i.e. Permit No. RES2020-1870*] on October 26, 2020. The approved building permit (*provided in the attached packet*) specifically stated the applicable construction codes required to build the accessory building, minimum separation from other structures, maximum height for accessory buildings, and the minimum setbacks required for the construction of the accessory building. Additionally, the building permit included a statement that stated that the "... building is to be built per approved plans from the Planning & Zoning Commission & City Council ...", and included a copy of the approved site plan and building elevations for reference. These were the same plans that were provided by Mr. Klecha, and that were incorporated into the Specific Use Permit (SUP)





# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council

**DATE:** May 17, 2021

**APPLICANT:** Mark Klecha

**CASE NUMBER:** Z2021-010; *Specific Use Permit for an Accessory Building at 1748 Lake Breeze Drive*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) superseding *Ordinance No. 20-34* and allowing an accessory building that does not conform to S-231 [*Ordinance No. 20-34*] on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

### BACKGROUND

The subject property was originally annexed into the City of Rockwall on February 6, 1961 by *Ordinance No. 61-02*. According to the City's historic zoning maps the subject property was zoned Multi-Family 1 (MF-1) District as of January 3, 1972. By May 16, 1983, this designation had changed to Planned Development District 11 (PD-11) [*Ordinance No. 80-13*] for Single-Family 2 (SF-2) District land uses. On June 7, 1993, *Ordinance No. 93-11* changed the designation of the subject property within Planned Development District 11 (PD-11) to an area designated for Single-Family 10 (SF-10) District land uses [*Case No. PZ1993-020-01*]. The subject property was platted as Lot 6, Block O, Hillcrest Shores Addition on August 12, 1993 by *Case No. PZ1993-030-01*. According to the Rockwall Central Appraisal District (RCAD), situated on the subject property is a 2,649 SF single-family home that was constructed in 1995.

On July 16, 2020, the applicant -- *Mark Klecha* -- submitted an application requesting a Specific Use Permit (SUP) [*Case No. Z2020-030*] for an accessory building that was to exceed the maximum permissible size for an accessory structure. This application was required by the Building Inspections Department after the applicant began constructing a fence, concrete slab and retaining wall without receiving the proper building permits. Staff should note that the applicant did request the building permits [*i.e. BLD2020-0824, BLD2020-0951, BLD2020-0952, and RES2020-1870*], but commenced construction prior to being issued the approved building permits. The proposed accessory building was approved by the City Council on September 8, 2020 [*i.e. Ordinance No. 20-34, SUP No. S-231*] and allowed the construction of an accessory building that exceeded the maximum permissible size by 215 SF. As part of this approval, the applicant agreed to adhere to the following operational conditions, which were approved by the City Council and incorporated into the Specific Use Permit (SUP) ordinance: [1] the accessory building was to conform to the conceptual building elevations, [2] the accessory building was to be a maximum size of 360 SF, and [3] the applicant would only be permitted to have one (1) accessory building on the property. In addition, the applicant also agreed to: [1] remove existing accessory structure on the subject property, and [2] provide a letter from a structure engineer certifying that the recently built retaining wall was built to hold the weight of the accessory building, and that the retaining wall posed no structural risk to the existing three (3) foot retaining wall on the adjacent property. Staff should note that Mr. Klecha did remove the accessory building and provide the requested engineers letter.

Following the approval of the Specific Use Permit (SUP), the applicant was issued a building permit [*i.e. Permit No. RES2020-1870*] on October 26, 2020. The approved building permit (*provided in the attached packet*) specifically stated the applicable construction codes required to build the accessory building, minimum separation from other structures, maximum height for accessory buildings, and the minimum setbacks required for the construction of the accessory building. Additionally, the building permit included a statement that stated that the "... building is to be built per approved plans from the Planning & Zoning Commission & City Council ...", and included a copy of the approved site plan and building elevations for reference. These were the same plans that were provided by Mr. Klecha, and that were incorporated into the Specific Use Permit (SUP)



ordinance [*i.e.* Ordinance No. 20-34]. A copy of the approved ordinance was also sent to Mr. Klecha with the approval letter from the Specific Use Permit (SUP) case.

Upon inspection of the accessory building by Building Inspection Department, it was noted that the accessory building was not built in compliance with the approved building permit or Specific Use Permit (SUP) ordinance. Specifically, the building inspector noted that the accessory building exceeded the maximum height requirements of 15-feet, a second floor had been incorporated into the structure increasing the square footage of the building, and the building elevations were different from the approved building elevations. In addition, Mr. Klecha had constructed a temporary accessory building on the east side of the property attached to the primary structure. Based on these improvements, the Building Inspector issued Mr. Klecha a *Stop Work Order*, referred him back to the Planning Department, and instructed him to file an application to amend his Specific Use Permit (SUP). Mr. Klecha was also told that he would have to remove the unpermitted accessory building on the east side of the subject property, which was completed prior to the Planning and Zoning Commission Work Session meeting on April 27, 2020.

## **PURPOSE**

The property owner and applicant -- *Mark Klecha* -- is requesting the approval of a Specific Use Permit (SUP) that would [1] supersede *Ordinance No. 20-34* [*i.e.* SUP No. S-231] and [2] allow a two (2) story accessory building that exceeds the maximum permissible height and square footage stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

## **ADJACENT LAND USES AND ACCESS**

The subject property is addressed as 1748 Lake Breeze Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is an alleyway followed by the remainder of the Hillcrest Shores Subdivision, which consists of 67 single-family residential homes on 22.17-acres. Beyond this is Bayhill Drive, which is identified as a R2 (*i.e. residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown 2040 Vision Comprehensive Plan. North of this roadway is the Hillcrest Shores, Phase 2 Subdivision, which consists of 113 single-family residential homes on 53.24-acres. All of these properties are zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses.

South: Directly south of the subject property is Lake Breeze Drive, which is identified as a R2 (*i.e. residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the remainder of the Hillcrest Shores Subdivision. South of this is the Northshore, Phase 2B Subdivision, which consists of 76 single-family residential homes on 25.04-acres. This subdivision is zoned Single-Family 10 (SF-10) District.

East: Directly east of the subject property is the remainder of the Hillcrest Shores Subdivision followed by N. Lakeshore Drive, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This area is zoned Planned Development District 11 (PD-11) for Single Family 10 (SF-10) District land uses. Beyond this is the Preserve, Phase 2 Subdivision, which consists of 82 single-family residential lots on 33.02-acres. This property is zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is the remainder of the Hillcrest Shores Subdivision, which is zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District. Beyond this is the *Lake Ray Hubbard Takeline* followed by the corporate limits of the City of Rockwall. Beyond this is Lake Ray Hubbard.

## **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, letter, and updated drawings requesting to permit an existing 570 SF (*i.e. 330 SF first floor and 240 SF second floor*) accessory building. Per the drawings provided by the applicant (*and the pictures taken by the Building Inspections Department*) the accessory building has a pitched/shed roof, and stands a total of 16-feet, 6-inches in height. The exterior of the accessory building is clad in a composite siding (*i.e. smart siding*), and the roof is constructed with



a composite shingle similar to that of the primary structure. The proposed building is situated on the side of the property, adjacent to the western property line, behind an existing eight (8) foot board-on-board wood fence.

## **CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family 10 (SF-10) District allows a total of two (2) accessory buildings each being 144 SF in size or one (1) accessory building at 144 SF in size and one (1) detached garage at 625 SF in size. In addition, accessory buildings are limited to a maximum height of 15-feet and a minimum setback of three (3) feet from the rear property line and six (6) feet from the side property line. In addition, accessory buildings are required to have a minimum of six (6) feet of separation from any other primary or accessory structure. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)."

## **STAFF ANALYSIS**

In this case, the applicant's request does not conform to the Specific Use Permit [*i.e. Ordinance No. 20-34, SUP No. S-231*] that was approved by the City Council on September 8, 2020, nor the building permit [*i.e. Permit No. RES2020-1870*] that was issued to Mr. Klecha. The applicant has exceeded the maximum height for an accessory structure by one (1)-foot, six (6)-inches (*i.e. 16'6" Overall Height*), has increased the allowable square footage by 210 SF (*i.e. Total Square Footage = 570 SF*), and has added a second floor to the accessory structure. It should be noted that according to Subsection 07.04(9), *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), "(t)wo (2) story accessory buildings or structures shall be prohibited." Approval of this request would effectively revoke *Ordinance No. 20-34 [i.e. SUP No. S-231]* and establish operational conditions consistent with what was actually constructed by the applicant. With this being said, the approval of this Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission. Staff should note that the Planning and Zoning Commission and City Council have the ability to [1] approve the request, [2] deny the request (which would require the applicant to modify the building to conform to the current Specific Use Permit [SUP] ordinance), or [3] deny the request and direct staff to begin revocation of the existing Specific Use Permit (SUP) ordinance (which would require the applicant to remove the structure). Regardless of the Planning and Zoning Commission and City Council's action the applicant will need to modify the structure to remove the connection of the roofline to the fence, and to also conform to the International Building Code (IBC) -- *which it currently does not conform*.

## **NOTIFICATIONS**

On April 27, 2021, staff mailed 96 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Hillcrest at the Shores and the Preserve Homeowner's Associations (HOA's), which are the only HOA/Neighborhood Organizations within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted, staff had received the following:

- (1) Two (2) property owner notifications from property owners within the notification area (*i.e. within the 500-foot buffer*) opposed to the applicant's request.
- (2) One (1) property owner notification from property owners within the notification area (*i.e. within the 500-foot buffer*) in favor of the applicant's request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request to revoke *Ordinance No. 20-34* and approve Specific Use Permit (SUP) for a two (2) story accessory building exceeds the maximum permissible size and height for accessory buildings, then staff would propose the following conditions of approval:



- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
  - (b) The *Accessory Building* shall not exceed a maximum size of 570 SF (i.e. 330 SF – 1<sup>st</sup> floor & 240 SF – 2<sup>nd</sup> floor).
  - (c) The *Accessory Building* shall not exceed a height of more than 16-feet, 6-inches.
  - (d) The *Accessory Building* shall not be used as a guest quarters/secondary living unit.
  - (e) The subject property shall not have more than one (1) accessory building.
- (2) The applicant will be required face the existing smooth face concrete retaining wall in rock or stone.
- (3) Any construction resulting from the approval of this Specific Use Permit (SUP) 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 11, 2021, the Planning and Zoning Commission approved a motion to recommend denial of the applicants request to amend Specific Use Permit (SUP) No. S-231 [*Ordinance No. 20-34*] by a vote of 5-0, with Commissioners Moeller and Conway absent. The recommendation to deny the request effectively requires the applicant to conform to SUP No. S-231 [*Ordinance No. 20-34*], which will require the applicant to reduce the size and height of the accessory building complying with the approved building plans. According to *Subsection 02.03(G), Protest of Zoning Change, of Article 11, of the Unified Development Code (UDC)*, “if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval.”





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING ☒ ZONING CASE NO. 22021-010

**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) <sup>1</sup>  
☐ PRELIMINARY PLAT (\$200.00 + \$15.00 ACRE) <sup>1</sup>  
☐ FINAL PLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>  
☐ REPLAT (\$300.00 + \$20.00 ACRE) <sup>1</sup>  
☐ AMENDING OR MINOR PLAT (\$150.00)  
☐ PLAT REINSTATEMENT REQUEST (\$100.00)

**SITE PLAN APPLICATION FEES:**

- ☐ SITE PLAN (\$250.00 + \$20.00 ACRE) <sup>1</sup>  
☒ AMENDED SITE PLAN/ELEVATIONS/LANDSCAPING PLAN (\$100.00)

**ZONING APPLICATION FEES:**

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) <sup>1</sup>  
☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) <sup>1</sup>  
☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) <sup>1</sup>

**OTHER APPLICATION FEES:**

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

**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.

**PROPERTY INFORMATION [PLEASE PRINT]**ADDRESS 1748 LAKE BREEZE DR.SUBDIVISION Hillcrest ShoresLOT 6 BLOCK 0GENERAL LOCATION 1748 Lake Breeze**ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]**CURRENT ZONING PD-11CURRENT USE ResidentialPROPOSED ZONING \_\_\_\_\_PROPOSED USE ResidentialACREAGE 0.2297

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 MARK KLECHA☐ APPLICANTSAME

CONTACT PERSON

CONTACT PERSON

ADDRESS 1748 LAKE BREEZE DR.

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75087

CITY, STATE &amp; ZIP

PHONE (402) 315-8387

PHONE

E-MAIL markklecha@hotmail.com

E-MAIL

**NOTARY VERIFICATION [REQUIRED]**

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

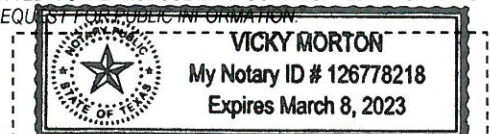
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 16th DAY OF April, 20 21. BY SIGNING THIS APPLICATION, 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 16 DAY OF April, 20 21

OWNER'S SIGNATURE

Mark Klecha

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Vicky Morton

MY COMMISSION EXPIRES

March 8, 2023

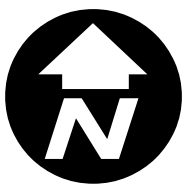




## City of Rockwall

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



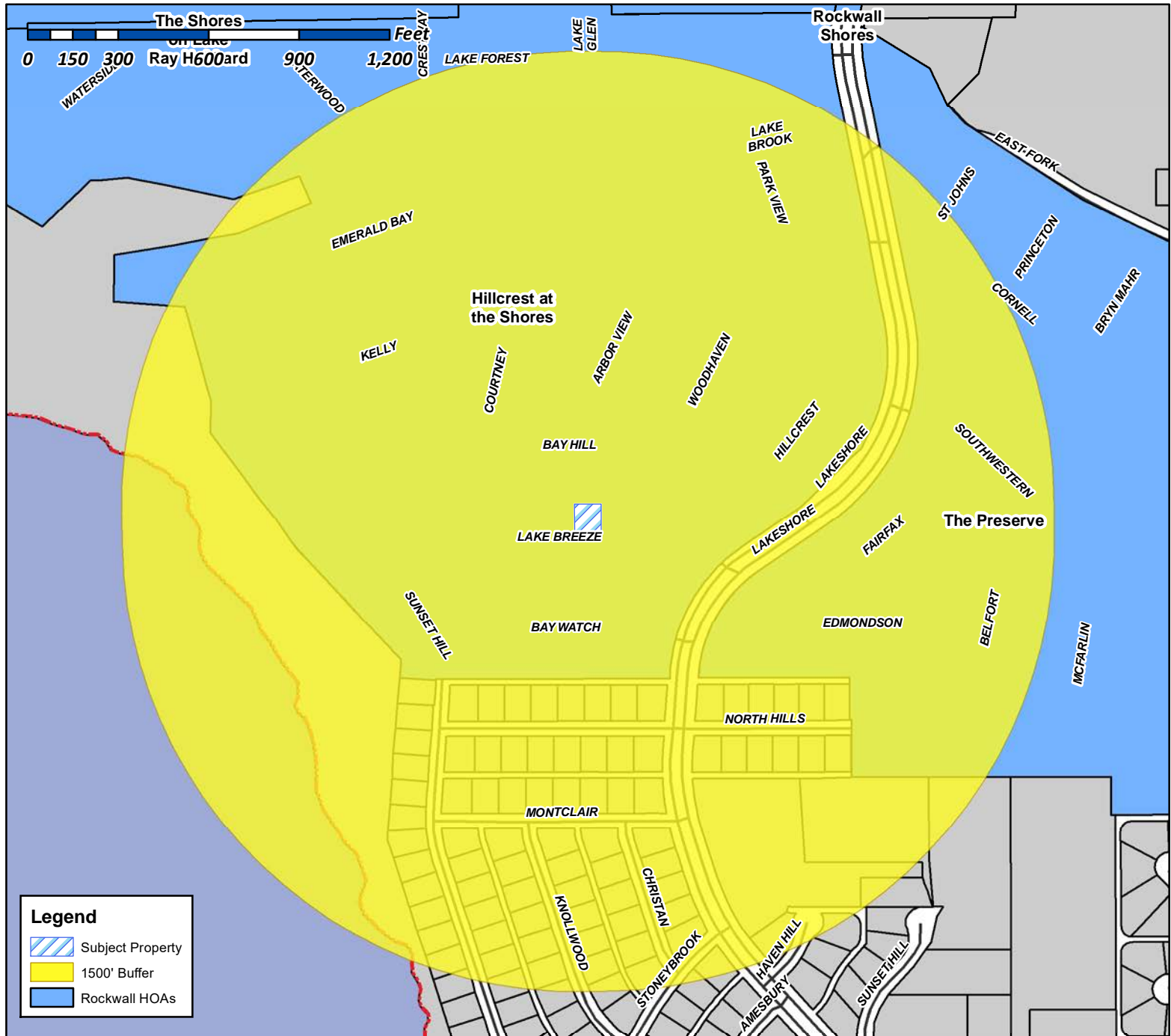




# City of Rockwall

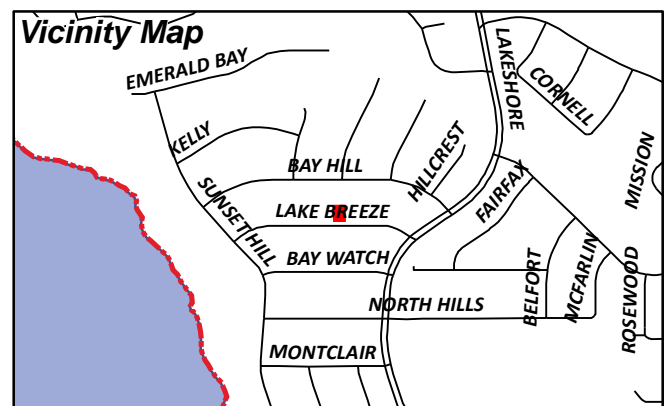
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
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**Case Number:** Z2021-010  
**Case Name:** SUP for Accessory Structure  
**Case Type:** Zoning  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 4/16/2021  
**For Questions on this Case Call** (972) 771-7745





## Gonzales, David

---

**From:** Gamez, Angelica  
**Sent:** Friday, April 23, 2021 3:34 PM  
**Cc:** Miller, Ryan; Gonzales, David; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2021-010]  
**Attachments:** Public Notice (04.27.2021).pdf; HOA Map Z2021-010.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *April 23, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, May 11, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, May 17, 2021 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### **Z2021-010 SUP for Accessory Structure**

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a *Specific Use Permit (SUP)* superseding *Ordinance No. 20-34* and allowing an accessory building that does not conform to *S-231 [Ordinance No. 20-34]* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>

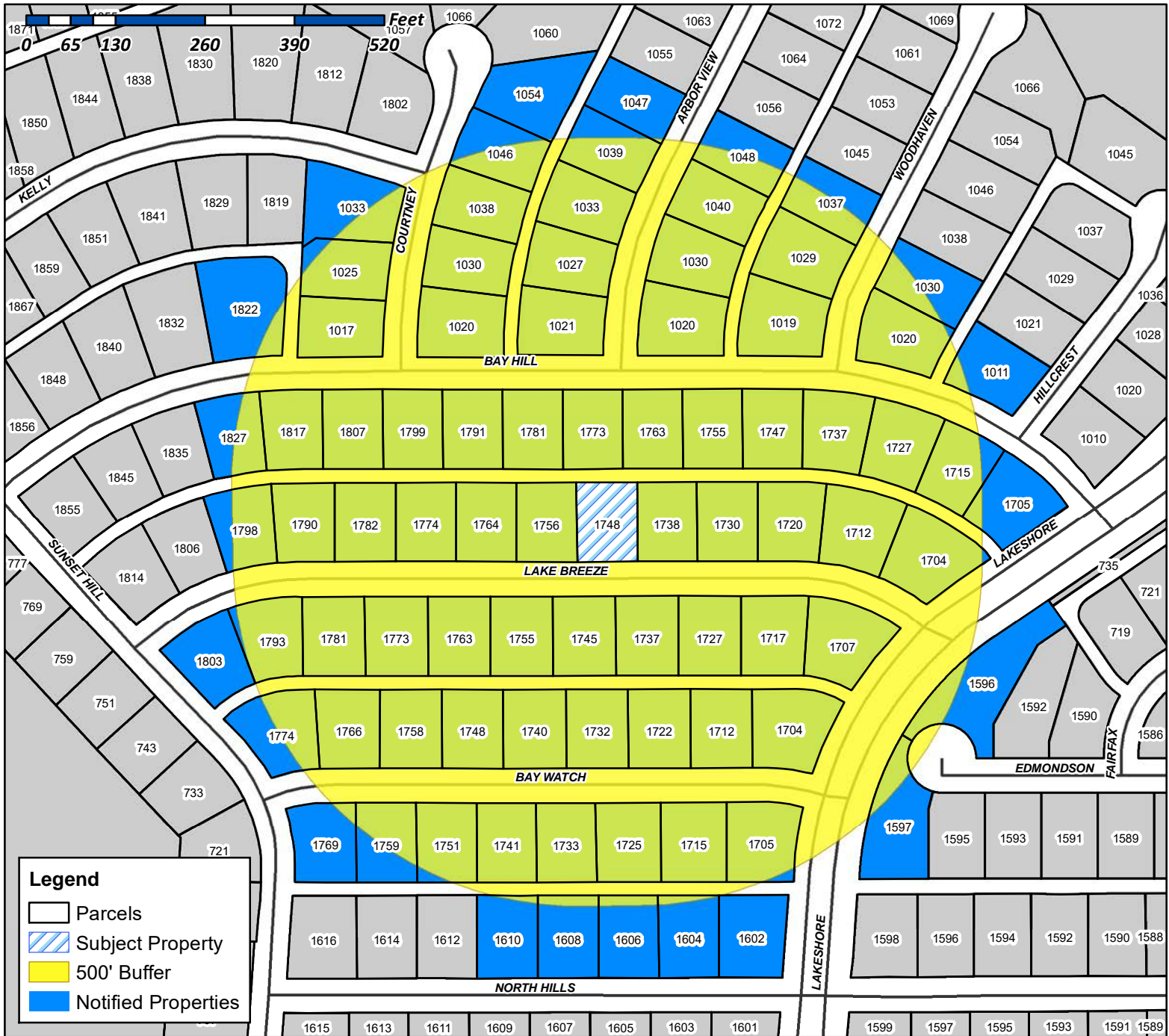




# City of Rockwall

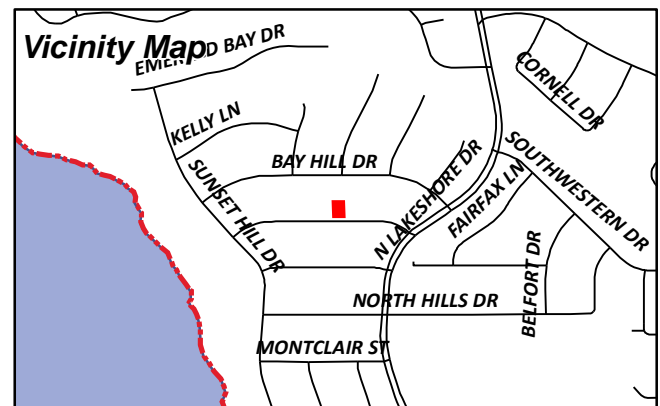
Planning & Zoning Department  
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**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 4/16/2021  
**For Questions on this Case Call** (972) 771-7745





 = RESPONSE RECEIVED

MATHIAS ERIC J & ROBIN A  
1011 HILLCREST CIR  
ROCKWALL, TX 75087

ANDERSON SALLY LESIL & STEVE  
1017 COURTNEY CIRCLE  
ROCKWALL, TX 75087

BAUCHMAN NANCY  
1019 WOODHAVEN CIR  
ROCKWALL, TX 75087

DORN KEITH  
1020 ARBOR VIEW PL  
ROCKWALL, TX 75087

SANDMAN DAVID & VALERIE  
1020 COURTNEY CIR  
ROCKWALL, TX 75087

HAUER MELVIN C & VIRGINIA L  
1020 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

LOGAN WINFRED BART & TRACEY  
1021 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAURHOFF MARGARET L AND  
MICHAEL J VEREB  
1025 COURTNEY CIRCLE  
ROCKWALL, TX 75087

WEBER MATTHEW J AND THERESA M  
1027 ARBOR VIEW PL  
ROCKWALL, TX 75087

HOVERMAN BRYAN AND KELLIE  
1029 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

BENAVIDES RAPHAEL G & MARY A  
1030 ARBOR VIEW PL  
ROCKWALL, TX 75087

MULLINAX STEVE WAYNE & DEBBIE S  
1030 COURTNEY CIR  
ROCKWALL, TX 75087

CORRIGAN DERRICK & STEFANIE  
1030 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

ABRAMSKY SAMUEL & CHRISTI  
1033 ARBOR VIEW PL  
ROCKWALL, TX 75087

FLEMING ERIC AND DEIDRE  
1033 COURTNEY CIR  
ROCKWALL, TX 75087

WARD PATRICK C  
1037 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

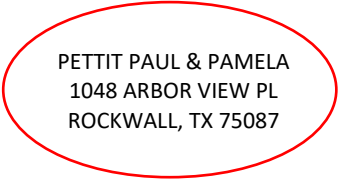
BEATY SUSAN J  
1038 COURTNEY CR  
ROCKWALL, TX 75087

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO., LTD  
1039 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAY RICHARD A & LISA A  
1040 ARBOR VIEW PL  
ROCKWALL, TX 75087

SMETANA JOSEPH JR & ANGEL P  
1046 COURTNEY CIR  
ROCKWALL, TX 75087

RESTER J TREVER & MICHELLE  
1047 ARBOR VIEW PL  
ROCKWALL, TX 75087



PETTIT PAUL & PAMELA  
1048 ARBOR VIEW PL  
ROCKWALL, TX 75087

WRIGHT LARRY G & JENNIFER  
1054 COURTNEY CIRCLE  
ROCKWALL, TX 75087

MATHIAS ERIC J & ROBIN A  
1514 MALLARD HVN  
SAN ANTONIO, TX 78260

LAGRANGE DONALD AND AMY C  
1596 EDMONDSON TRAIL  
ROCKWALL, TX 75087

JONES LALANII  
1597 EDMONDSON TRAIL  
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP  
1602 NORTH HILLSDR  
ROCKWALL, TX 75087

KLUTTS BEN A JR & JULIE C  
1604 N HILLS DR  
ROCKWALL, TX 75087

WATSON MATTHEW W & JAMIE D  
1606 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

CONNALLY DAVID & VICKIE  
1608 N HILLS DR  
ROCKWALL, TX 75087



CONFIDENTIAL  
1610 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

JOHNSON CLARENCE R & CASANDRA L  
1704 BAY WATCH DR  
ROCKWALL, TX 75087

SIMS DAVID E AND ANITA L  
1704 LAKE BREEZE DR  
ROCKWALL, TX 75087

LYNCH CHRISTOPHER J  
1705 BAY WATCH DRIVE  
ROCKWALL, TX 75087

RYAN JEFFREY & DARLA  
1705 BAYHILL DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1707 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PAULSEN LOGAN & BRANDI A  
1712 BAY WATCH DRIVE  
ROCKWALL, TX 75087

VAUGHN STEPHEN MICHAEL  
1712 LAKE BREEZE DR  
ROCKWALL, TX 75087

WHITAKER MARTIN & DORIS  
1715 BAY WATCH DR  
ROCKWALL, TX 75087

REPMAN MARK &  
MICHELLE BASTIDAS  
1715 BAYHILL DR  
ROCKWALL, TX 75087

TAYLOR MICHAEL JOSEPH JR AND HEATHER L  
1717 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PEDDIE STACIE  
1720 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

KEETON KENNETH W & REBECCA  
1722 BAY WATCH DR  
ROCKWALL, TX 75087

HIETBRINK BERNARD D & MELISSA L  
1725 BAY WATCH DR  
ROCKWALL, TX 75087

VILLARREAL GLORIA M & JOSE C  
1727 BAY HILL DR  
ROCKWALL, TX 75087

KETON JAMES H & JEANNETTE S  
1727 LAKE BREEZE DR  
ROCKWALL, TX 75087

HIGGINS BRADLEY STEPHEN AND  
AMANDA JO BURT HIGGINS  
1730 LAKE BREEZE DR  
ROCKWALL, TX 75087

BREEN ROBERT AND LAURA  
1732 BAY WATCH DR  
ROCKWALL, TX 75087

WHALIN GREGORY L & TERRI B  
1733 BAY WATCH DR  
ROCKWALL, TX 75087

LOCKWOOD CHARLES DOUGLAS  
1737 BAYHILL DR  
ROCKWALL, TX 75087

BOWEN RONALD L & DEANNA K  
1737 LAKE BREEZE DR  
ROCKWALL, TX 75087

BYROM JOHNNY R & LYNETTE  
1738 LAKE BREEZE DR  
ROCKWALL, TX 75087

TUBBS LAJUAN C  
1740 BAY WATCH DR  
ROCKWALL, TX 75087

LANZONE FAMILY LIVING TRUST  
CHRIS A LANZONE AND DIANE M LANZONE-  
TRUSTEES  
1741 BAY WATCH DRIVE  
ROCKWALL, TX 75087

GEHRING CAROLYN S  
1745 LAKE BREEZE DR  
ROCKWALL, TX 75087

PHILLIPS JACOB AND CAREEN NAKHLEH  
1747 BAYHILL DRIVE  
ROCKWALL, TX 75087

HARRINGTON VIOLET A  
1748 BAYWATCH DR  
ROCKWALL, TX 75087

KLECHA MARK AND ANGELA  
1748 LAKE BREEZE DR  
ROCKWALL, TX 75087

AKARD ARTHUR F & DANA D  
1751 BAY WATCH DR  
ROCKWALL, TX 75087

THOMPSON RONALD G & CAROLYN E  
1755 BAYHILL DR  
ROCKWALL, TX 75087



BARKER MARK A  
1755 LAKE BREEZE DR  
ROCKWALL, TX 75087

BOONE WILLIAM R JR & KYOKO N  
1756 LAKE BREEZE DR  
ROCKWALL, TX 75087

OH SINEUI  
1758 BAY WATCHDR  
ROCKWALL, TX 75087

WITTIG MILTON G & CYNTHIA J  
1759 BAY WATCH DR  
ROCKWALL, TX 75087

LOWNDES ROBERT  
1763 BAYHILL DR  
ROCKWALL, TX 75087

LONDON REV TR  
1763 LAKE BREEZE DR  
ROCKWALL, TX 75087

AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
1764 LAKE BREEZE DR  
ROCKWALL, TX 75087

RAY WILLIAM JACKSON AND DAWN MARIE  
1766 BAY WATCH DRIVE  
ROCKWALL, TX 75087

JACOBSON BRUCE ALLEN & MARGARET  
1769 BAY WATCH DR  
ROCKWALL, TX 75087

SMITH JAMES & JULIE  
1773 BAYHILL DR  
ROCKWALL, TX 75087

MEYN RICHARD B & CATHERINE  
MEYN FAMILY TRUST  
1773 LAKE BREEZE DR  
ROCKWALL, TX 75087

HAMILTON DOUGLAS C & JANET K  
1774 BAY WATCH DR  
ROCKWALL, TX 75087

GUZMAN PATRICIA MARGARITA & THANH  
NGUYEN HOANG  
1774 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

MOORE KERMIT T & GWENDOLYN R  
1781 BAYHILL DR  
ROCKWALL, TX 75087

PERALES LIVING TRUST  
1781 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

HOLCOMB RICHARD & KATHY  
1782 LAKE BREEZE DR  
ROCKWALL, TX 75087

CUTLER ELDON GEORGE & THALIA LONE  
1790 LAKE BREEZE DR  
ROCKWALL, TX 75087

BARBER TRUMAN JOSEPH & BARBARA  
1791 BAYHILL DR  
ROCKWALL, TX 75087

KING DOROTHY  
1793 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

DAVENPORT JAMES & MARYBETH  
1798 LAKE BREEZE DR  
ROCKWALL, TX 75087

VESTAL JEANETTE & ALSON  
1799 BAYHILL DR  
ROCKWALL, TX 75087

Daniel R. Tapia  
CRETI DANIEL AND MARTHA TRUST  
1803 LAKE BREEZE DR  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
1807 BAY HILL DR  
ROCKWALL, TX 75087

DAVIS JIMMY GOLAN AND TATIANA  
KAPOUSTINA-DAVIS  
1817 BAYHILL DRIVE  
ROCKWALL, TX 75087

ARAKI YU  
1822 BAY HILL DR  
ROCKWALL, TX 75087

KHABAZ ALLEN BLEEDO  
1827 BAYHILL DR  
ROCKWALL, TX 75087

LAZY DALE PARTNERS LP  
202 N SAN JACINTO ST  
ROCKWALL, TX 75087

AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
30601 AGOURA ROAD SUITE 200  
AGOURA HILLS, CA 91301

CUTLER ELDON GEORGE & THALIA LONE  
40161 E 179TH STREET  
KINGSVILLE, MO 64061

VILLARREAL GLORIA M & JOSE C  
4914 W 106TH ST  
OAK LAWN, IL 60453



OH SINEUI  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO., LTD  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

ARAKI YU  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

CRETI DANIEL AND MARTHA TRUST  
550 S SILVERADO WAY  
ANAHEIM, CA 92807

BREEN ROBERT AND LAURA  
661 JUSTIN RD  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
915 SUNSET HILL DRIVE  
ROCKWALL, TX 75087



Case No. Z2021-010: Specific Use Permit for Accessory Structure

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

ABUSE OF EXISTING CODE

Name: CATHERINE AND RICHARD MEYN

Address: 1773 LAKE BREEZE DR ROCKWALL TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





**Case No. Z2021-010: Specific Use Permit for Accessory Structure**

**Please place a check mark on the appropriate line below:**

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

Name:

DANIEL R. TAPIA

Address:

1803 LAKE BREEZE DR

75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



PLEASE RETURN THE BELOW FORM

**Case No. Z2021-010: Specific Use Permit for Accessory Structure**

**Please place a check mark on the appropriate line below:**

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

If MARK KLECHA desires to build a large barn or storage shed he should re-locate out to a rural area. This would only serve to bring down our property values.

Name:

PAUL PETTIT

Address:

1048 Arbor View Place

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE





BUILDING WILL BE CONSTRUCTED USING 2x4 FRAMING (16" ON CENTER)  
WITH SMART SIDING OUTER PANELING.

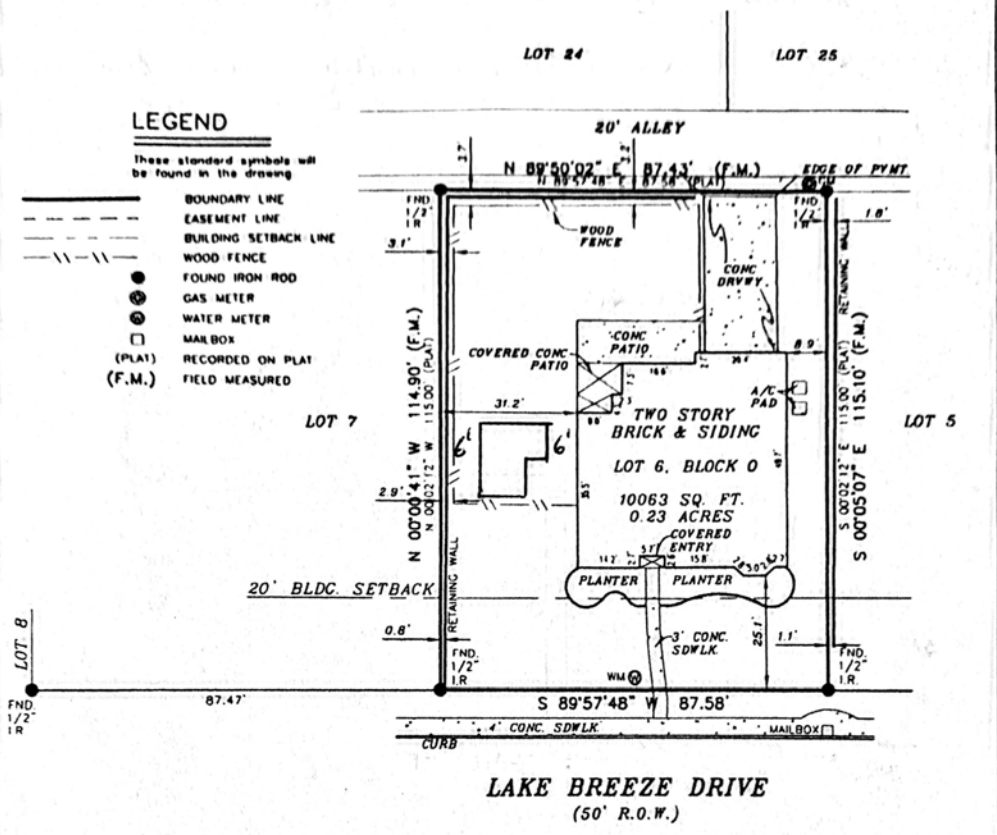
THE ROOF WILL BE A METAL STANDING SEAM ROOF OVER OSB PLYWOOD  
SHEETING AND 3016 ROOFING FECT.

THE ROOF TRUSSES WILL BE CONSTRUCTED WITH A 2x12x15 LVL RIDGE  
BEAM AND 2x6 RAFTERS 16" ON CENTER USING RAFTER HANGERS.

THE STRUCTURE WILL CONNECT TO THE CONCRETE SLAB USING PRESSURE  
TREATED LUMBER AND  $\frac{1}{2}$ " x 5" SLEEVE ANCHORS.

THE GARAGE DOOR WILL BE ROLL-UP WIND RATED DOOR (8'x7') AND THERE  
WILL BE A STANDARD 3'x7' EXTERIOR DOOR.





**LEGAL DESCRIPTION**  
BEING LOT 6, BLOCK 0 OF HILLCREST SHORES,  
AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY,  
TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN  
CABINET C, SLIDE 199, PLAT RECORDS, ROCKWALL COUNTY,  
TEXAS.

**FLOOD INSURANCE NOTE:** By graphics plotting only,  
this property is in ZONE X of the  
Flood Insurance Rate Map, Community Panel No.  
48397C-0030 L, effective date of SEPTEMBER 26, 2008.  
Exact designations can only be determined by a  
Elevation Certificate. Based on the above information,  
this property IS NOT in a Special Flood Hazard Area.

**SURVEYOR'S NOTE:**  
BASIS OF BEARING, RECORDED  
PLAT UNLESS OTHERWISE NOTED.

I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas,  
do hereby certify to HEXTER-FAIR TITLE COMPANY  
and  
that the above map is true and correct according to an actual field survey, made by me on the ground or  
under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further  
certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except  
as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent  
discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way  
as of the date of the field survey. I further certify that this survey meets or exceeds the  
minimum standards established by the Texas Board of Professional Land Surveying (Section 663.18).  
Lot(s) 6, Block 0, N.C.B. ---, Survey No. ---, Abstract No. ---  
Survey or Subdivision: HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL  
Cabinet C, Slide(s) 199-200, of the Map/Deed and Plat Records of ROCKWALL County, Texas  
Borrower/Owner: CHARLES M. HUSTON AND KENDALL HUSTON  
Address: 1748 LAKE BREEZE DRIVE GP No. PL11619416

**FINAL "AS-BUILT" SURVEY**

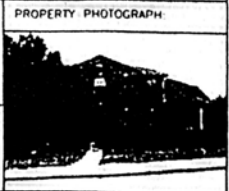
JOB NO.	1105006367	NO.	REVISION	DATE
DATE:	05/27/11			
DRAWN BY:	UN/HM			
APPROVED BY:	RJR			



Roy John Ronnfeldt  
ROY JOHN RONNFELDT, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 3520

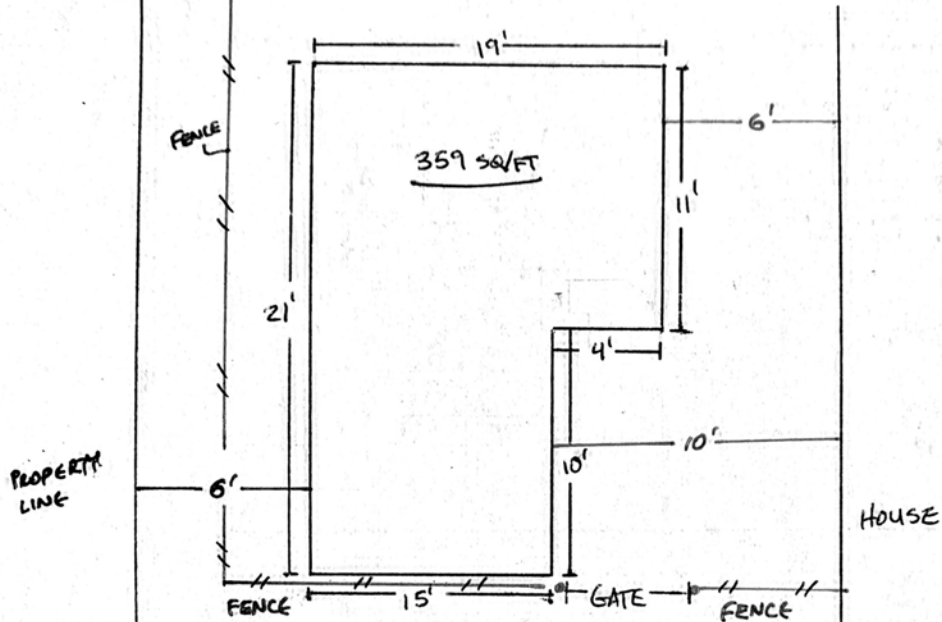
SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN  
VOLUME 961, PAGE 176, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS  
VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS

**AMERISURVEYORS, LLC**  
11711 Warfield Road, San Antonio, Texas 78216  
Phone (214) 872-0066 Fax (214) 968-9662



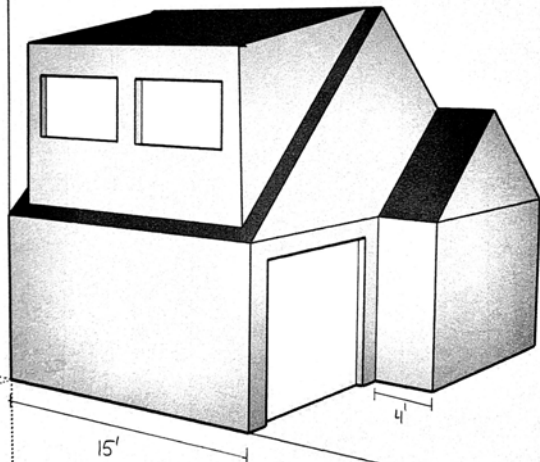


\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FOSHEE EMAIL)

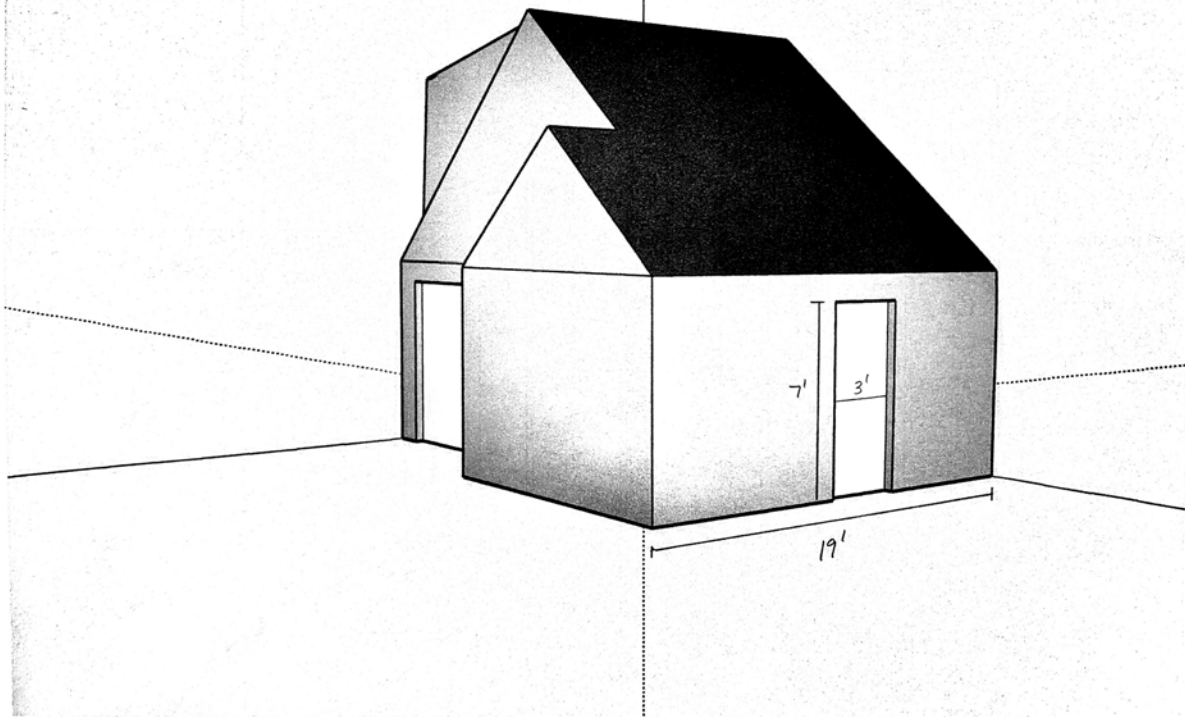


\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

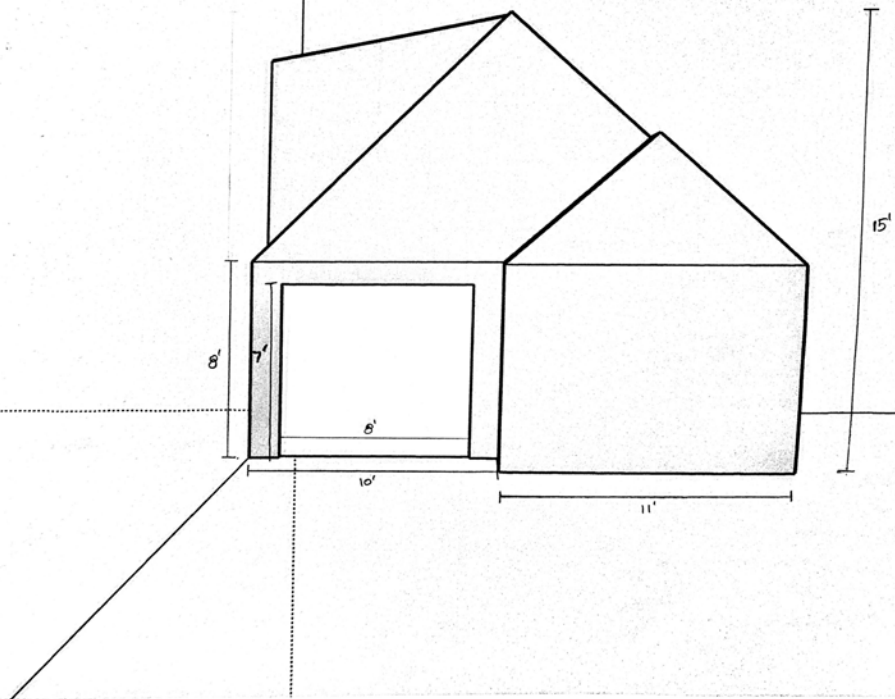






























**CONSTRUCTION CODES – 2015 International Residential Code & 2014 NEC Code and local amendments. ELECTRICAL PERMIT WILL BE REQUIRED FOR ANY NEW INSTALLATIONS. Minimum separation from other structures 6 ft. Maximum height of structure 15 ft. Minimum side setback 6 feet. Minimum rear setback 3 feet. Building is to be built per approved plans from the Planning & Zoning Commission & City Council.**

**For inspection [www.rockwall.com/buildinginspections/inspectionreq.asp](http://www.rockwall.com/buildinginspections/inspectionreq.asp).**

These standard symbols will be found in this drawing:

- BOUNDARY LINE
- - - EASEMENT LINE
- - - BUILDING SETBACK LINE
- - - WOOD FENCE
- FOUND IRON ROD
- GAS METER
- WATER METER
- MANHOLE
- (PLAT) RECORDED ON PLAT
- (F.M.) FIELD MEASURED

**BUILDERS COPY**

Keep On Job Site At All Times  
For Inspection Use

City of Rockwall

Review For Code Compliance

Subject To Field Inspection  
And Code Compliance

09/17/2020 By: C.Foshee 20' BLDG. SETBACK

**LAKE BREEZE DRIVE**  
(50' R.O.W.)

**LEGAL DESCRIPTION**  
BLDG LOT 6, BLOCK 0 OF HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN CACKET C, SLIDE 1195, PLAT RECORDS, ROCKWALL COUNTY, TEXAS.

**FLOOD INSURANCE NOTE:** By graphics plotting only, this property is in ZONE AE of the Flood Insurance Rate Map, Community Panel No. 4300000001, effective date of SEPTEMBER 26, 2008. Exact designations can only be determined by a Elevation Certificate. Based on the above information, this property is NOT in a Special Flood Hazard Area.

**SURVEYOR'S NOTE:** BASIS OF BEARING, RECORDED PLAT UNLESS OTHERWISE NOTED.

**GRAPHIC SCALE**  
0' 30' 60'

**CODE COMPLIANCE SUBJECT TO FIELD INSPECTORS APPROVAL**

I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas, do hereby certify to NEXTER-FAIR TITLE COMPANY and that the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way as of the date of the field survey. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 663.182) Lot(s) 6, Block 0, N.C.B. Survey No. 3520 Abstract No. 3520 Survey or Subdivision HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL Cacket C, Slide 1195 of the Map/Deed and Plat Records of ROCKWALL County, Texas Borrower/Owner CHARLES M. HUSTON AND KENDALL HUSTON Address 1748 LAKE BREEZE DRIVE City PLATINUM

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN VOLUME 861, PAGE 176, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS. VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS.

**FINAL "AS-BUILT" SURVEY**

JOB NO.	1100000387	NO.	REVISION	DATE
DATE	05/27/11			
DRAWN BY	MLH/MLH			
APPROVED BY	RJR			

7-14-11

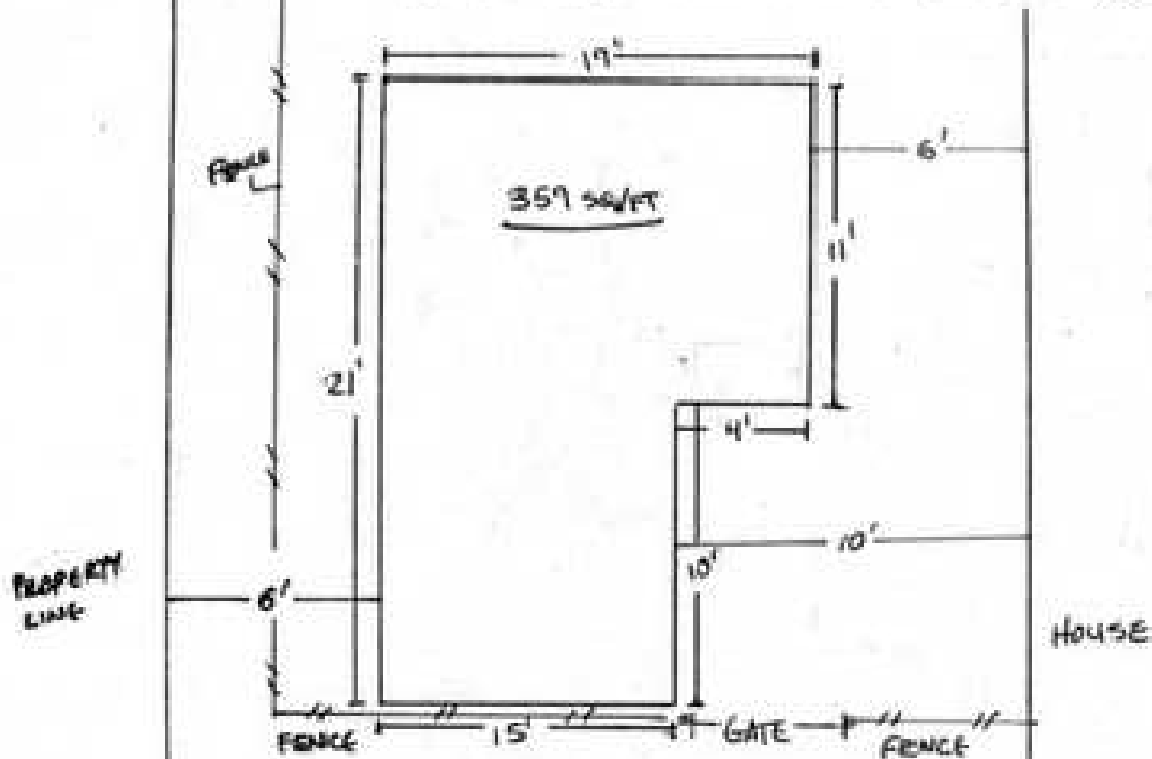
**AMERISURVEYORS, LLC**  
10711 International Road - San Antonio, Texas 78249  
Phone: (214) 477-1000 FAX: (214) 477-1001 Email: info@amerisurveyors.com

PROPERTY PHOTOGRAPH



\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS -

\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE LEAD FENCE EMAIL)



\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

**BUILDERS COPY**

Keep On Job Site At All Times  
For Inspection Use



CONCRETE PAD w/ RETAINING WALL

- 3,000 PSI CONCRETE
- 1/2" REBAR THROUGHOUT
- (SPACED 16" APART FOR SLAB)

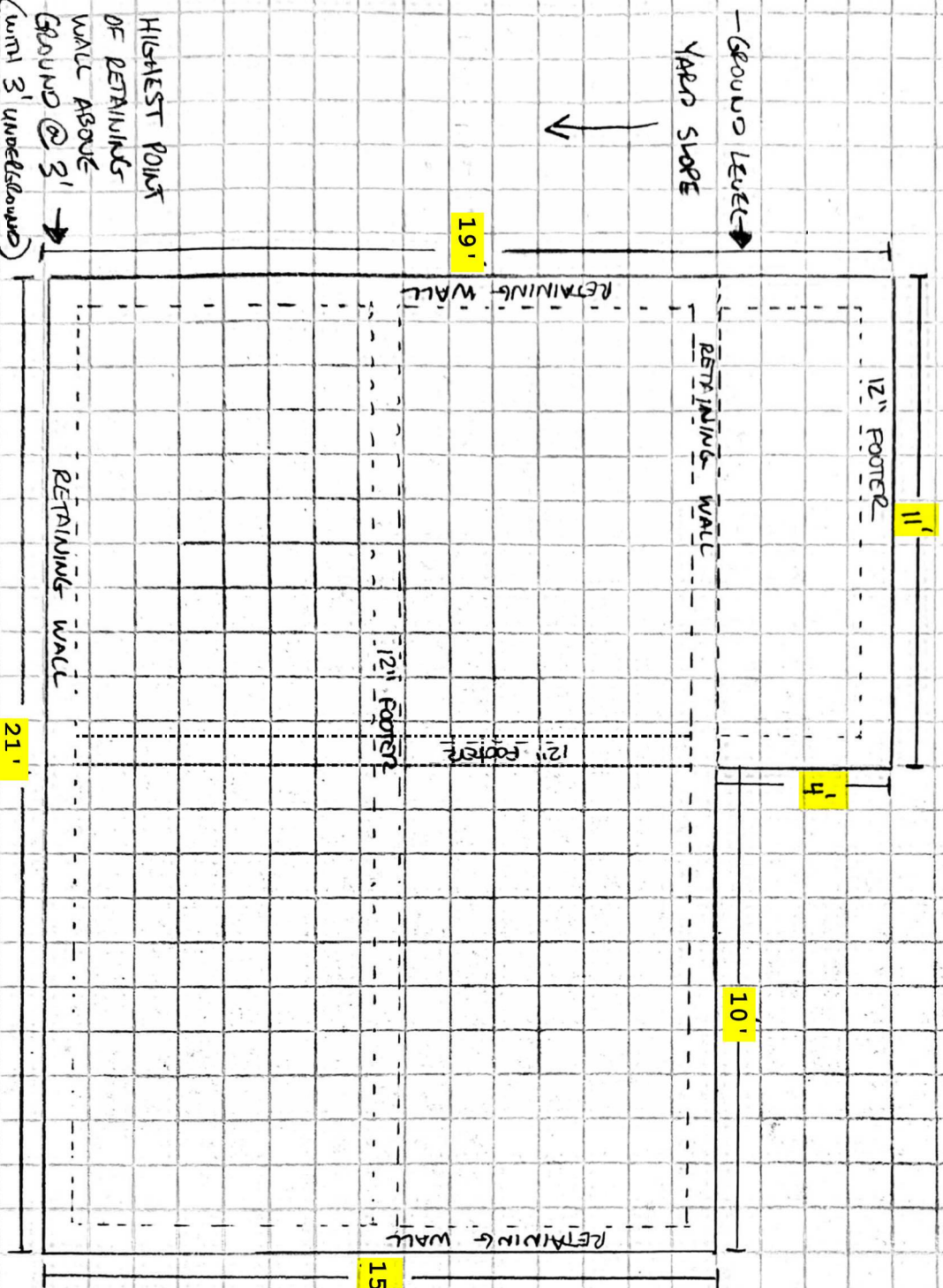
**BUILDERS COPY**

Keep On Job Site At All Times  
For Inspection Use

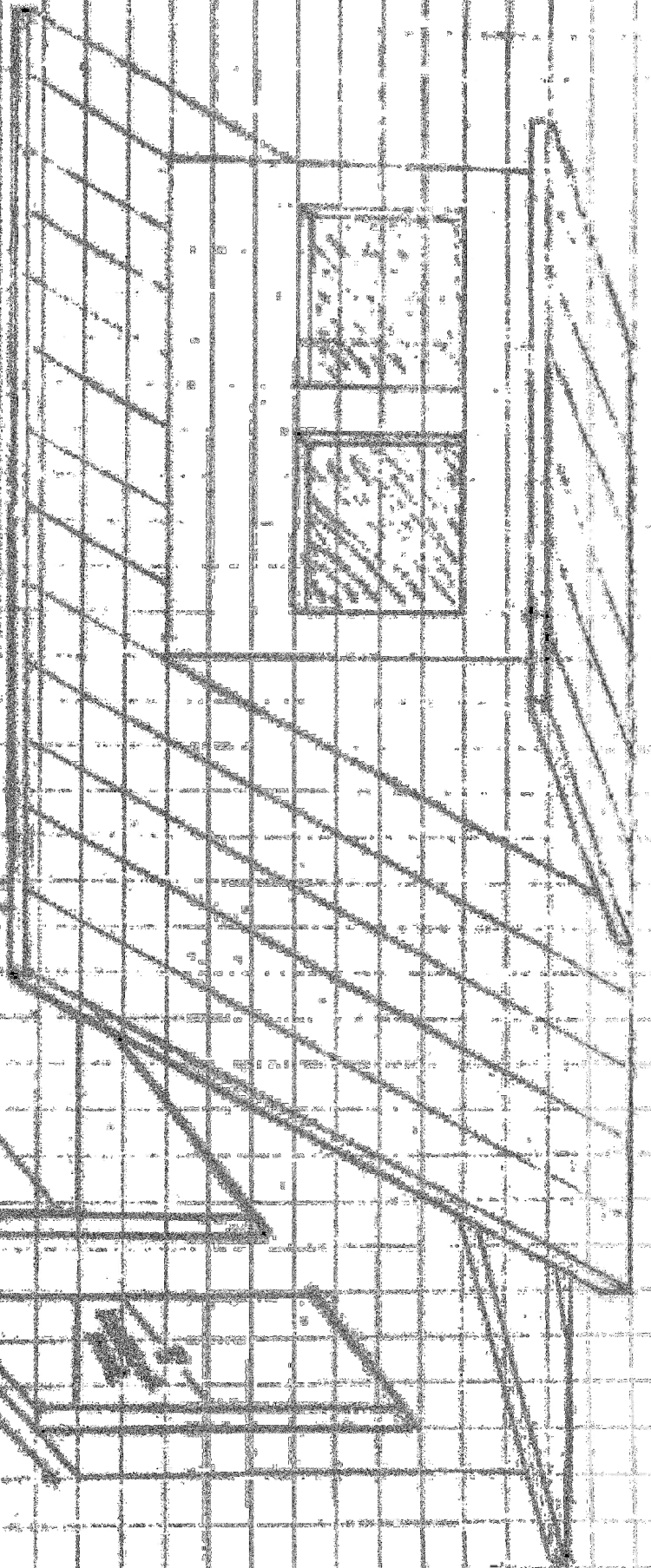
DETAILS:

THIS STRUCTURE WILL BE A SOLID CONCRETE RETAINING WALL 12" THICK WITH 1/2" REBAR FRAME CONSTRUCTION CONNECTING THE ENTIRE STRUCTURE (INCLUDING THE 5" THICK CONCRETE PAD ON TOP). THERE WILL BE A 12" FOOTER THROUGH THE MIDDLE OF THE SLAB CONNECTING TO THE RETAINING WALLS ON EITHER SIDE.

THE RETAINING WALL WILL BE 3' UNDERGROUND MOVING WITH THE SLOPE OF MY YARD. IT WILL BE 3' UNDERGROUND AND 3' (6" MIN) ABOVE GROUND AT THE LOW SIDE OF MY YARD. IT WILL PARALLEL AN EXISTING 3' RETAINING WALL TO RECEIVE THE LOAD. ALL OF IT WILL BE CONNECTED WITH REBAR AND CONCRETE TO MAKE ONE SOLID STRUCTURE WITH THE CONCRETE PAD ON TOP.







...the ...

**THE**

# Journal of Democracy

1990

BUILDERS COPY

**Keep On Job Site At All Times  
For Inspection Use**



**BUILDERS COPY**  
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For Inspection Use



BUILDING WILL BE CONSTRUCTED USING 2x4 FRAMING (16" ON CENTER) WITH SMART SIDING OUTER PANELING.

THE ROOF WILL BE A METAL STANDING SEAM ROOF OVER OSB PLYWOOD SHEETING AND 3016 ROOFING FECT.

THE ROOF TRUSSES WILL BE CONSTRUCTED WITH A 2x12x15 LVL RIDGE BEAM AND 2x6 RAFTERS 16" ON CENTER USING RAFTER HANGERS.

THE STRUCTURE WILL CONNECT TO THE CONCRETE SLAB USING PRESSURE TREATED LUMBER AND  $\frac{1}{2}$ " x 5" SLEEVE ANCHORS.

THE GARAGE DOOR WILL BE ROLL-UP WIND RATED DOOR (8'x7') AND THERE WILL BE A STANDARD 3'x7' EXTERIOR DOOR.

**BUILDERS COPY**

**Keep On Job Site At All Times  
For Inspection Use**



# SKAGGS ENGINEERING

1018 Meadow Green Court Princeton, TX 75407

[skaggsengineering@yahoo.com](mailto:skaggsengineering@yahoo.com)

Cell: 972.369.2194

## BUILDERS COPY

Keep On Job Site At All Times  
For Inspection Use

August 23, 2020

City of Rockwall  
Building Inspections  
385 S. Goliad Street  
Rockwall, TX

Re: New Workshop Pad/Retaining Walls  
1748 Lake Breeze Drive  
Rockwall, TX

To Whom It May Concern:

I have reviewed the proposed workshop at the above referenced residence. The new workshop will be approximately 400 sf and constructed with wood stud bearing walls and wood rafters. The workshop will be located adjacent to an existing retaining wall along the property line. The workshop will be supported by a 5" concrete slab reinforced with #4 bars @ 16" OC each way and retaining walls on each side. The retaining walls are 12" wide, reinforced with #4 bars @ 16" OC each way, and set 36" into the ground. The walls vary in height and are a maximum of 3'-0" above grade.

After reviewing the information, in my opinion, the retaining walls and slab were constructed in accordance with the 2015 International Residential Code and City of Rockwall requirements. The retaining walls and slab can support the weight of the proposed workshop. The new retaining walls, slab, and proposed workshop will not affect the structural integrity of the existing retaining wall.

If I can be of any further assistance or if there should be any questions, please do not hesitate to call.

Sincerely,

SKAGGS ENGINEERING  
FIRM NUMBER F-12387



Matthew R. Skaggs, P.E.  
Skaggs Engineering



**From:** [Foshee, Craig](#)  
**To:** [Gonzales, David](#); [Miller, Ryan](#)  
**Cc:** [McDowell, Russell](#)  
**Subject:** FW: 1748 Lake breeze  
**Date:** Thursday, April 22, 2021 3:51:25 PM

---

-----Original Message-----

From: Yancey, Jared  
Sent: Thursday, April 22, 2021 3:51 PM  
To: McDowell, Russell <[rmcdowell@rockwall.com](mailto:rmcdowell@rockwall.com)>; Foshee, Craig <[cfoshee@rockwall.com](mailto:cfoshee@rockwall.com)>  
Subject: 1748 Lake breeze

The height on the structure is 15'7" from the backyard height. 19'9" from the existing retaining wall on edge of property.

Square footage is 330 ft.<sup>2</sup> for the downstairs, upstairs square footage is 240ft.<sup>2</sup> as to which the roofline meets the floor of attic area

Jared Yancey  
469-797-3436  
Building Inspections

---

This email was scanned by Bitdefender



































CITY OF ROCKWALL

ORDINANCE NO. 20-34

SPECIFIC USE PERMIT NO. S-231

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an Accessory Building that exceeds the maximum allowable size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as



heretofore amended and as may be amended in the future --, and with the following conditions:

## **2.1. OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 360 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## **2.2. COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

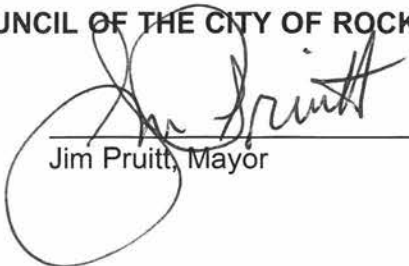
**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.



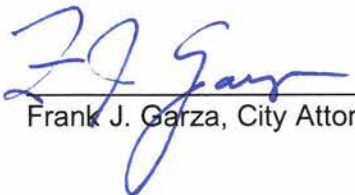
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.

  
\_\_\_\_\_  
Jim Pruitt, Mayor

ATTEST:

  
\_\_\_\_\_  
Kristy Cole, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020





**Exhibit 'A'**  
**Zoning Exhibit**

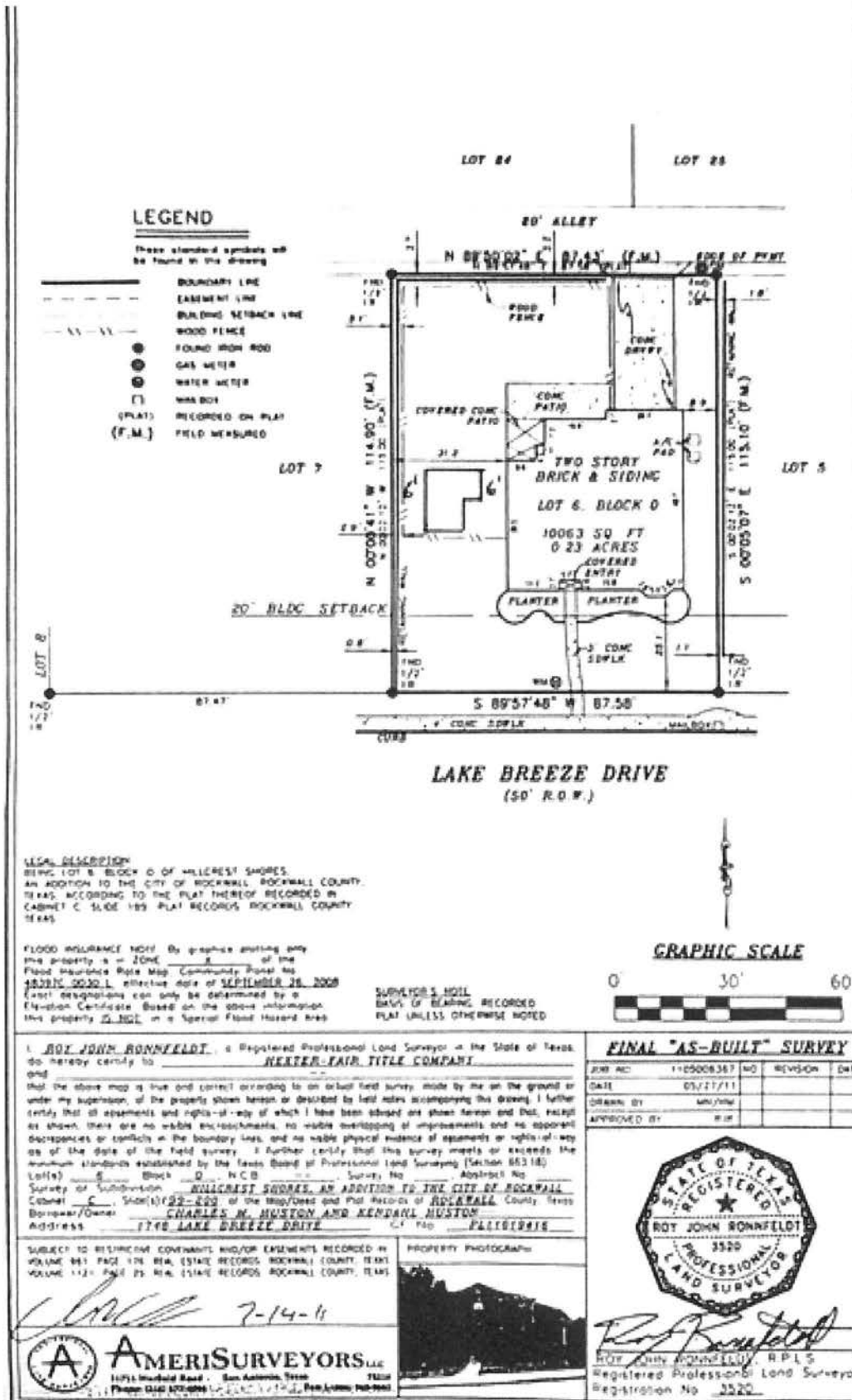
Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition



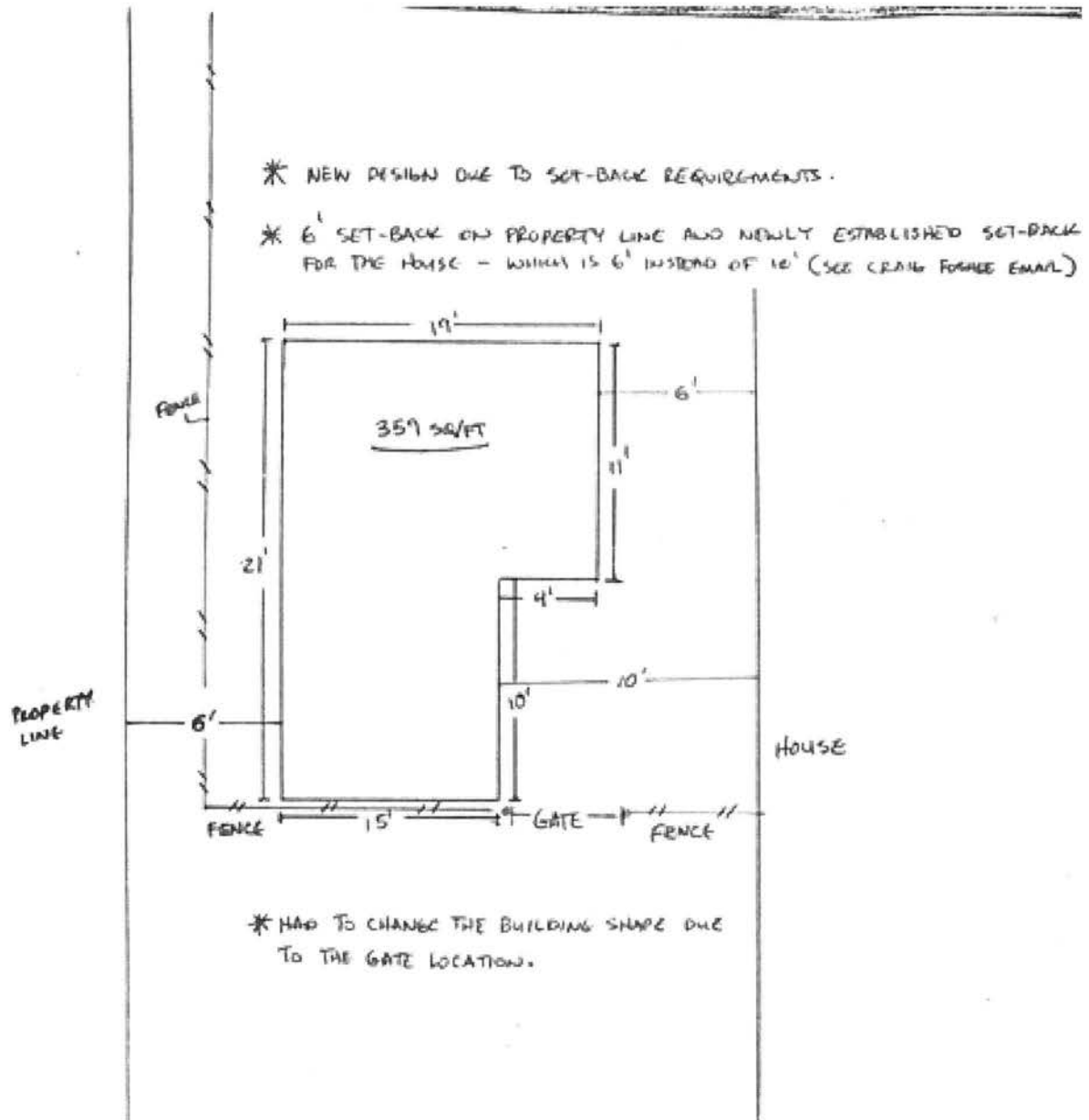


Exhibit 'B':  
Site Plan



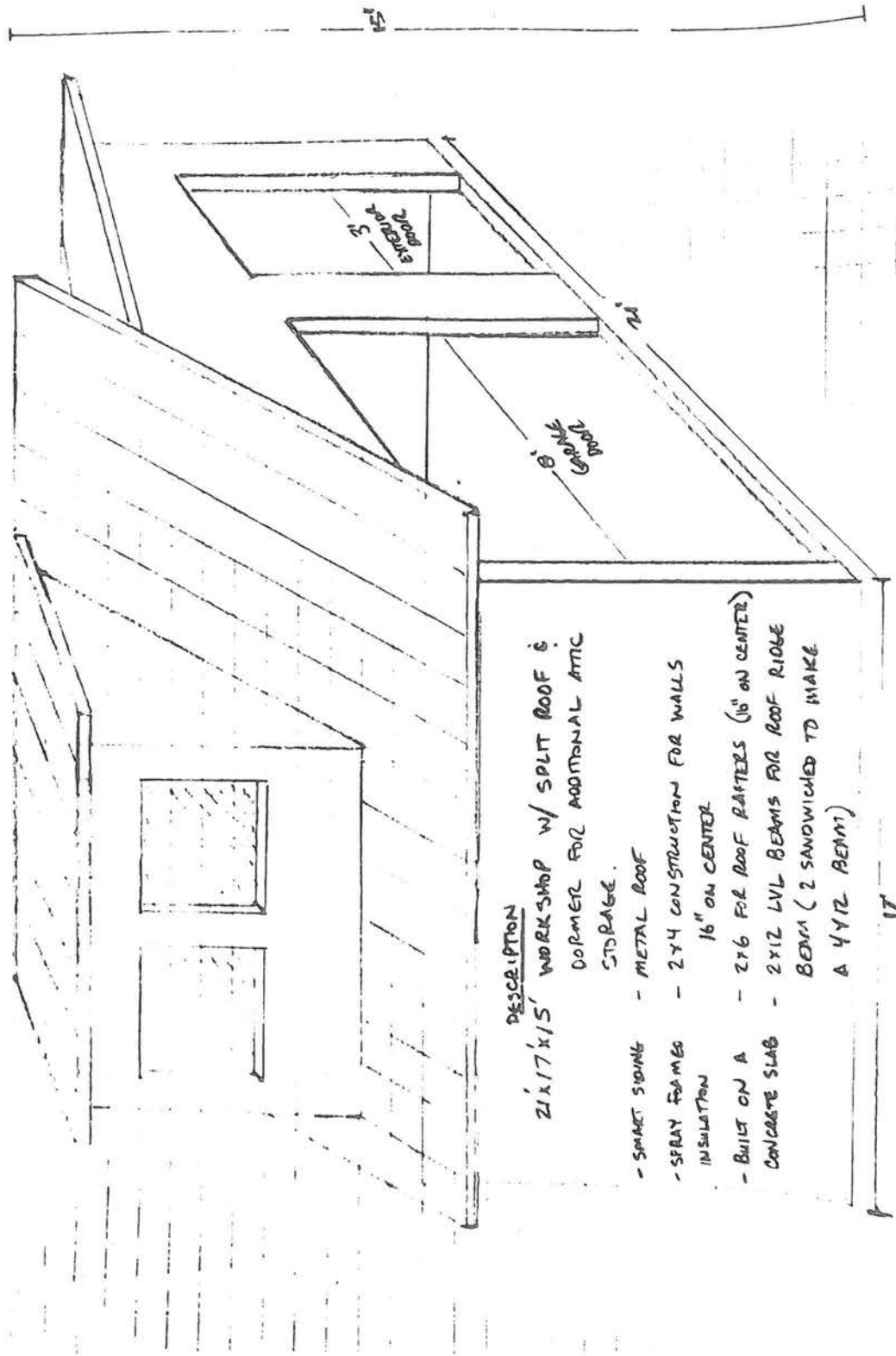


**Exhibit 'B':**  
*Site Plan*



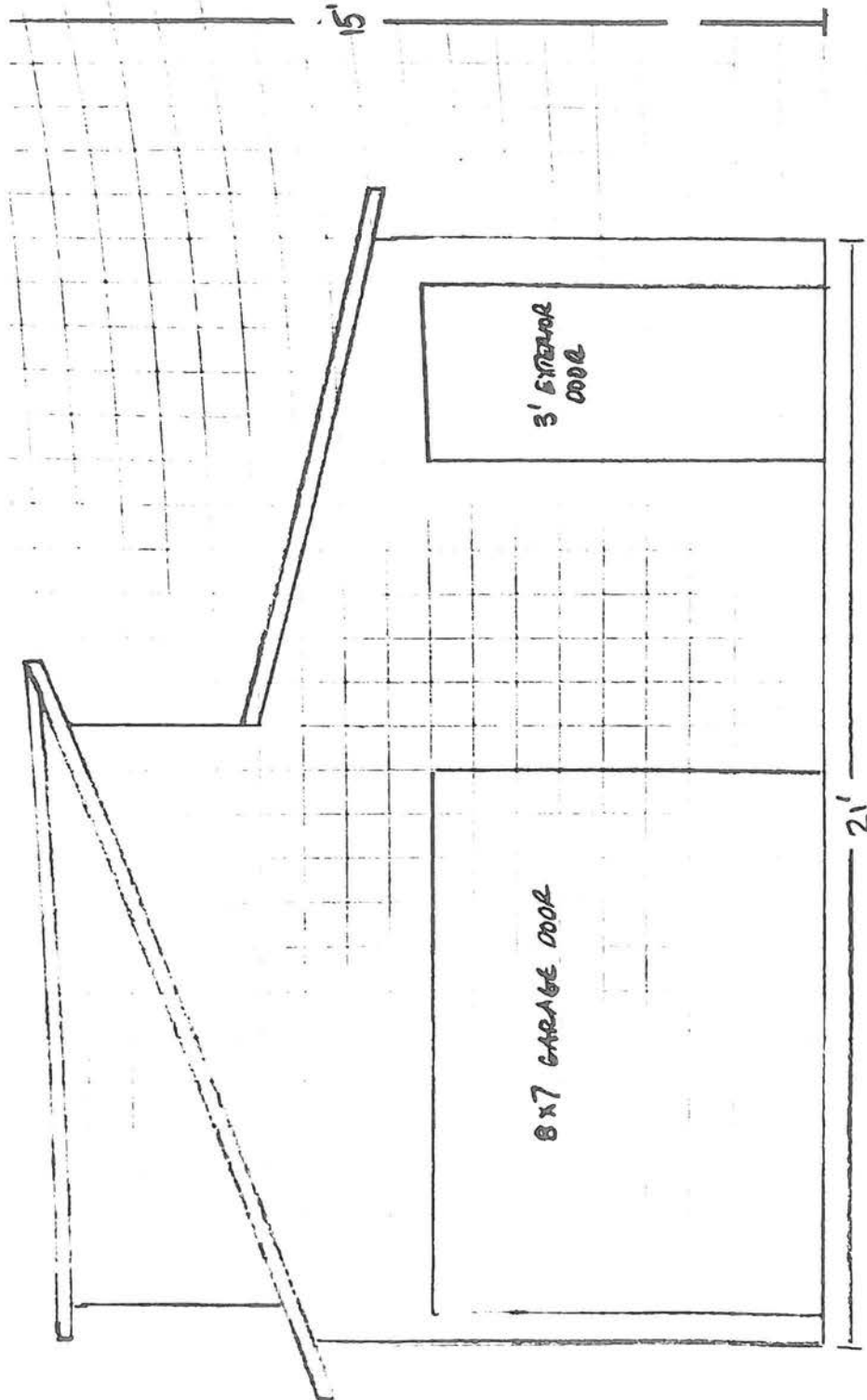


**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*







# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

---

**TO:** Mayor and City Council  
**DATE:** August 17, 2020  
**APPLICANT:** Mark Klecha  
**CASE NUMBER:** Z2020-030; *Specific Use Permit for an Accessory Building at 1748 Lake Breeze Drive*

---

### SUMMARY

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

### BACKGROUND

The subject property was originally annexed into the City of Rockwall on February 6, 1961 by *Ordinance No. 61-02*. According to the City's historic zoning maps the subject property was zoned Multi-Family 1 (MF-1) District as of January 3, 1972. By May 16, 1983, this designation had changed to Planned Development District 11 (PD-11) [*Ordinance No. 80-13*] for Single-Family 2 (SF-2) District land uses. On June 7, 1993, *Ordinance No. 93-11* change the designation of the subject property within Planned Development District 11 (PD-11) to an area designated for Single-Family 10 (SF-10) District land uses [*Case No. PZ1993-020-01*]. The subject property was platted as Lot 6, Block O, Hillcrest Shores Addition on August 12, 1993 by *Case No. PZ1993-030-01*. According to the Rockwall Central Appraisal District (RCAD), situated on the subject property is a 2,649 SF single-family home that was constructed in 1995.

### PURPOSE

The property owner and applicant -- *Mark Klecha* -- is requesting the approval of a Specific Use Permit (SUP) to permit the construction of an accessory building that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1748 Lake Breeze Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is an alleyway followed by the remainder of the Hillcrest Shores Subdivision, which consists of 67 single-family residential homes on 22.17-acres. Beyond this is Bayhill Drive, which is identified as a R2 (*i.e. residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown 2040 Vision Comprehensive Plan. North of this roadway is the Hillcrest Shores, Phase 2 Subdivision, which consists of 113 single-family residential homes on 53.24-acres. All of these properties are zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses.

South: Directly south of the subject property is Lake Breeze Drive, which is identified as a R2 (*i.e. residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the remainder of the Hillcrest Shores Subdivision. South of this is the Northshore, Phase 2B Subdivision, which consists of 76 single-family residential homes on 25.04-acres. This subdivision is zoned Single-Family 10 (SF-10) District.



East: Directly east of the subject property is the remainder of the Hillcrest Shores Subdivision followed by N. Lakeshore Drive, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This area is zoned Planned Development District 11 (PD-11) for Single Family 10 (SF-10) District land uses. Beyond this is the Preserve, Phase 2 Subdivision, which consists of 82 single-family residential lots on 33.02-acres. This property is zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is the remainder of the Hillcrest Shores Subdivision, which is zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District. Beyond this is the *Lake Ray Hubbard Takeline* followed by the corporate limits of the City of Rockwall. Beyond this is Lake Ray Hubbard.

## **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, letter, and drawings requesting to permit a proposed 359 SF accessory building. Per the drawings provided by the applicant the accessory building will have a pitched roof with dormer windows, and stand a total of 15-feet in height. The exterior of the accessory building will be clad in a composite siding (*i.e. smart siding*), and the roof will be constructed with standing seam metal. The proposed building will be situated on the side of the property, adjacent to the western property line, behind an existing eight (8) foot board-on-board wood fence. In addition, the applicant has stated in the provided letter that there is a mature live oak tree situated in front of the fence further impairing the view of the structure.

## **CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family 10 (SF-10) District allows a total of two (2) accessory buildings each being 144 SF in size or one (1) accessory building at 144 SF in size and one (1) detached garage at 625 SF in size. In addition, accessory buildings are limited to a maximum height of 15-feet and a minimum setback of three (3) feet from the rear property line and six (6) feet from the side property line. In addition, accessory buildings are required to have a minimum of six (6) feet of separation from any other primary or accessory structure. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)."

## **STAFF ANALYSIS**

In this case, the applicant's request conforms with the setback and height requirements for accessory buildings; however, the proposed size of the accessory building exceeds the maximum permissible size by 215 SF. Staff did perform a review of the aerial imagery of all of the homes in the Hillcrest Shores Subdivision (*i.e. the 67 single-family homes in the same phase as the subject property*) and determined that there does not appear to be any accessory buildings in this area of a similar size as to what the applicant is proposing. With this being said, there are covered patios and carports that appear to be of a similar size (*i.e. ~400 SF*). With regard to the letter submitted by the applicant, staff should note that a residential garage is clearly defined by Subsection 02.02(7) of Article 13, *Definitions*, of the Unified Development Code (UDC) as:

Residential Garage. A residential accessory building used for the storage of motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

In the applicant's case, the roll up garage door will face toward the primary structure, and be six (6) feet away from the western wall of the primary structure. This would not make it possible to pull a standard size vehicle into the structure. In addition, the structure is completely enclosed behind an eight (8) foot fence and the applicant is not providing a driveway to the structure (*which is characteristic of a detached garage*). Based on this staff was required to designate this structure as an accessory building, and not as a detached garage as the applicant has requested.

Staff should note that the structure will only be slightly visible from Lake Breeze Drive and that an existing tree and eight (8) foot fence will impair the view of the structure from right-of-way. With this being said, approval of a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.



## **NOTIFICATIONS**

On July 23, 2020, staff mailed 100 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Hillcrest at the Shores and the Preserve Homeowner's Associations (HOA's), which are the only HOA/Neighborhood Organizations that are within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had received four (4) notices in favor of the applicant's request and one (1) notice opposed to the applicant's request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum permissible size, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in Exhibits 'B' & 'C' of the Specific Use Permit (SUP) ordinance; and
  - (b) The *Accessory Building* shall not exceed a maximum size of 360 SF; and
  - (c) The subject property shall not have more than one (1) accessory building.
- (2) The applicant will need to submit a letter from a structural engineer certifying that the recently built retaining wall was built to hold the weight of the proposed accessory structure, and that the retaining wall poses no structural risk to the existing three (3) foot retaining wall on the adjacent property; and
- (3) The applicant will need to apply for a building permit from the Building Inspections Department; and
- (4) Any construction resulting from the approval of this zoning change 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 11, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) with the conditions of approval by a vote of 4-2, with Commissioners Logan and Womble dissenting and Commissioner Welch absent.





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING

CASE NO. 22020-030

**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) <sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☐ Final Plat (\$300.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Replat (\$300.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre) <sup>1</sup>

### Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

### 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.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 1748 LAKE BREEZE DR. ROCKWALL, TX 75087

Subdivision HILLCREST SHORES Lot 6 Block 0

General Location

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

Current Zoning PD-11

Current Use RESIDENTIAL

Proposed Zoning PD-11

Proposed Use RESIDENTIAL

Acreage 0.23

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 MARK KLECHA

☐ Applicant

Contact Person

Contact Person

Address 1748 LAKE BREEZE DR.

Address

City, State & Zip ROCKWALL, TX 75087

City, State & Zip

Phone 402-315-8387

Phone

E-Mail markklecha@hotmail.com

E-Mail

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared MARK KLECHA [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 \$ 215.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 16th day of July, 20 20. 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."

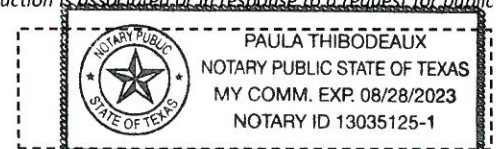
Given under my hand and seal of office on this the 16th day of July, 20 20.

Owner's Signature

Mark Klecha

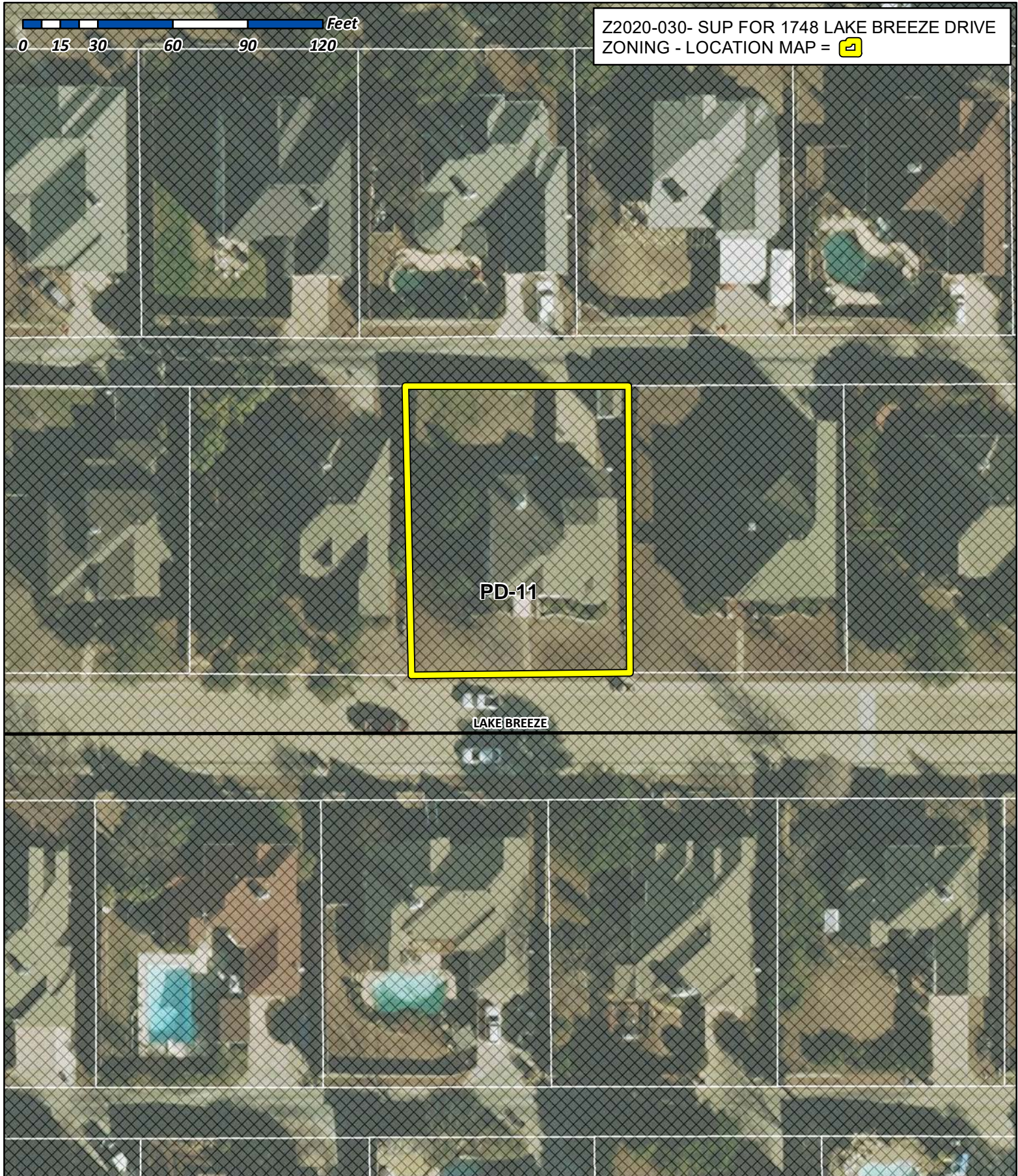
Notary Public in and for the State of Texas

Paula Thibodeaux



My Commission Expires

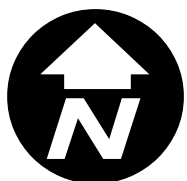




## City of Rockwall

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

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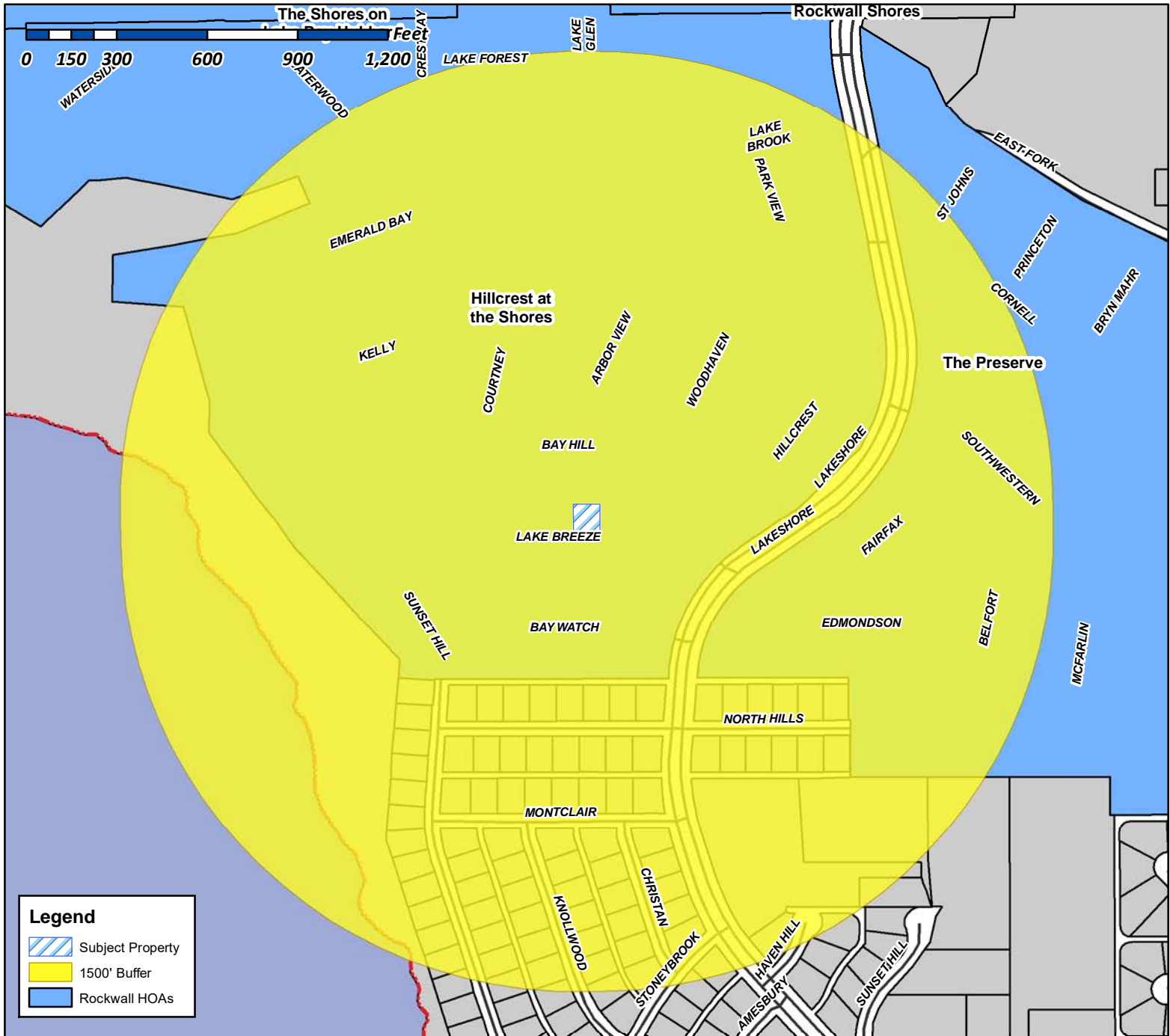




# City of Rockwall

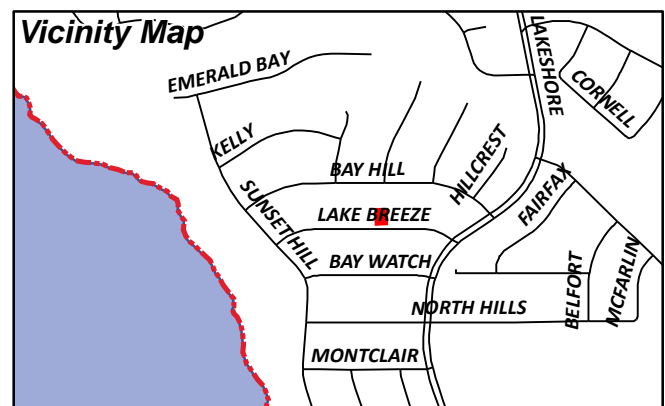
Planning & Zoning Department  
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Rockwall, Texas 75087  
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**Case Number:** Z2020-030  
**Case Name:** SUP for 1748 Lake Breeze Drive  
**Case Type:** Specific Use Permit  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 7/17/2020  
**For Questions on this Case Call** (972) 771-7745





**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#); [Henry Lee](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Tuesday, July 21, 2020 10:14:35 AM  
**Attachments:** [HOA Map \(07.17.2020\).pdf](#)  
[Public Notice \(07.20.2020\).pdf](#)

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HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday, July 31, 2020. The Planning and Zoning Commission will hold a public hearing on Tuesday, August 11, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 17, 2020 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>





# City of Rockwall

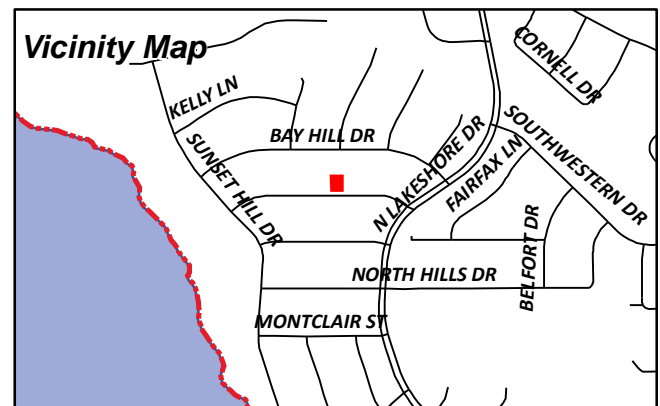
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**Case Number:** Z2020-030  
**Case Name:** SUP for 1748 Lake Breeze Drive  
**Case Type:** Specific Use Permit  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 7/22/2020  
**For Questions on this Case Call** (972) 771-7745





CURRENT RESIDENT  
1011 HILLCREST  
ROCKWALL, TX 75087

ANDERSON SALLY LESIL & STEVE  
1017 COURTNEY CIRCLE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1019 WOODHAVEN  
ROCKWALL, TX 75087

DORN KEITH  
1020 ARBOR VIEW PL  
ROCKWALL, TX 75087

SANDMAN DAVID & VALERIE  
1020 COURTNEY CIR  
ROCKWALL, TX 75087

HAUER MELVIN C & VIRGINIA L  
1020 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

LOGAN WINFRED BART & TRACEY  
1021 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAURHOFF MARGARET L AND  
MICHAEL J VEREB  
1025 COURTNEY CIRCLE  
ROCKWALL, TX 75087

WEBER MATTHEW J AND THERESA M  
1027 ARBOR VIEW PL  
ROCKWALL, TX 75087

BEUSELING JOHN MARTIN & GLORIA LYNN  
1029 WOODHAVEN CIR  
ROCKWALL, TX 75087

BENAVIDES RAPHAEL G & MARY A  
1030 ARBOR VIEW PL  
ROCKWALL, TX 75087

MULLINAX STEVE WAYNE & DEBBIE S  
1030 COURTNEY CIR  
ROCKWALL, TX 75087

CORRIGAN DERRICK & STEFANIE  
1030 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

ABRAMSKY SAMUEL & CHRISTI  
1033 ARBOR VIEW PL  
ROCKWALL, TX 75087

FLEMING ERIC AND DEIDRE  
1033 COURTNEY CIR  
ROCKWALL, TX 75087

WARD PATRICK C  
1037 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

BEATY SUSAN J  
1038 COURTNEY CR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1039 ARBOR VIEW  
ROCKWALL, TX 75087

MAY RICHARD A & LISA A  
1040 ARBOR VIEW PL  
ROCKWALL, TX 75087

SMETANA JOSEPH JR & ANGEL P  
1046 COURTNEY CIR  
ROCKWALL, TX 75087

RESTER J TREVER & MICHELLE  
1047 ARBOR VIEW PL  
ROCKWALL, TX 75087

PETTIT PAUL & PAMELA  
1048 ARBOR VIEW PL  
ROCKWALL, TX 75087

WRIGHT LARRY G & JENNIFER  
1054 COURTNEY CIRCLE  
ROCKWALL, TX 75087

MATHIAS ERIC J & ROBIN A  
1514 MALLARD HVN  
SAN ANTONIO, TX 78260

SUCHAND HAROLD A AND SUSAN W  
1596 EDMONDSON TR  
ROCKWALL, TX 75087

JONES LALANII  
1597 EDMONDSON TRAIL  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1602 NORTH HILLS  
ROCKWALL, TX 75087

KLUTTS BEN A JR & JULIE C  
1604 N HILLS DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1604 NORTH HILLS  
ROCKWALL, TX 75087

WATSON MATTHEW W & JAMIE D  
1606 NORTH HILLS DRIVE  
ROCKWALL, TX 75087



CONNALLY DAVID & VICKIE  
1608 N HILLS DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1610 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

BAUCHMAN NANCY  
16631 MALCOLM LN  
YORBA LINDA, CA 92886

JOHNSON CLARENCE R & CASANDRA L  
1704 BAY WATCH DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1704 LAKE BREEZE  
ROCKWALL, TX 75087

LYNCH CHRISTOPHER J  
1705 BAY WATCH DRIVE  
ROCKWALL, TX 75087

RYAN JEFFREY & DARLA  
1705 BAYHILL DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1707 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PAULSEN LOGAN & BRANDI A  
1712 BAY WATCH DRIVE  
ROCKWALL, TX 75087

VAUGHN STEPHEN MICHAEL  
1712 LAKE BREEZE DR  
ROCKWALL, TX 75087

WHITAKER MARTIN & DORIS  
1715 BAY WATCH DR  
ROCKWALL, TX 75087

REPMAN MARK &  
MICHELLE BASTIDAS  
1715 BAYHILL DR  
ROCKWALL, TX 75087

SIMPSON RODNEY KEITH  
1717 LAKE BREEZE DR  
ROCKWALL, TX 75087

PEDDIE STACIE  
1720 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

KEETON KENNETH W & REBECCA  
1722 BAY WATCH DR  
ROCKWALL, TX 75087

HIETBRINK BERNARD D & MELISSA L  
1725 BAY WATCH DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1727 BAY HILL  
ROCKWALL, TX 75087

KETON JAMES H & JEANNETTE S  
1727 LAKE BREEZE DR  
ROCKWALL, TX 75087

HIGGINS BRADLEY STEPHEN AND  
AMANDA JO BURT HIGGINS  
1730 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1732 BAY WATCH  
ROCKWALL, TX 75087

WHALIN GREGORY L & TERRI B  
1733 BAY WATCH DR  
ROCKWALL, TX 75087

LOCKWOOD CHARLES DOUGLAS  
1737 BAYHILL DR  
ROCKWALL, TX 75087

BOWEN RONALD L & DEANNA K  
1737 LAKE BREEZE DR  
ROCKWALL, TX 75087

BYROM JOHNNY R & LYNETTE  
1738 LAKE BREEZE DR  
ROCKWALL, TX 75087

TUBBS LAJUAN C  
1740 BAY WATCH DR  
ROCKWALL, TX 75087

LANZONE FAMILY LIVING TRUST  
CHRIS A LANZONE AND DIANE M LANZONE-  
TRUSTEES  
1741 BAY WATCH DRIVE  
ROCKWALL, TX 75087

GEHRING CAROLYN S  
1745 LAKE BREEZE DR  
ROCKWALL, TX 75087

BRADLEY TAMMY JEAN  
1747 BAY HILL DR  
ROCKWALL, TX 75087

SISKA JAMES W & RITA F  
1748 BAY WATCH DR  
ROCKWALL, TX 75087

KLECHA MARK AND ANGELA  
1748 LAKE BREEZE DR  
ROCKWALL, TX 75087



AKARD ARTHUR F & DANA D  
1751 BAY WATCH DR  
ROCKWALL, TX 75087

THOMPSON RONALD G & CAROLYN E  
1755 BAYHILL DR  
ROCKWALL, TX 75087

BARKER MARK A  
1755 LAKE BREEZE DR  
ROCKWALL, TX 75087

BOONE WILLIAM R JR & KYOKO N  
1756 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1758 BAY WATCH  
ROCKWALL, TX 75087

WITTIG MILTON G & CYNTHIA J  
1759 BAY WATCH DR  
ROCKWALL, TX 75087

LOWNDES ROBERT  
1763 BAYHILL DR  
ROCKWALL, TX 75087

LONDON REV TR  
1763 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1764 LAKE BREEZE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1766 BAY WATCH  
ROCKWALL, TX 75087

JACOBSON BRUCE ALLEN & MARGARET  
1769 BAY WATCH DR  
ROCKWALL, TX 75087

SMITH JAMES & JULIE  
1773 BAYHILL DR  
ROCKWALL, TX 75087

MEYN RICHARD B & CATHERINE  
MEYN FAMILY TRUST  
1773 LAKE BREEZE DR  
ROCKWALL, TX 75087

HAMILTON DOUGLAS C & JANET K  
1774 BAY WATCH DR  
ROCKWALL, TX 75087

GUZMAN PATRICIA MARGARITA & THANH  
NGUYEN HOANG  
1774 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

MOORE KERMIT T & GWENDOLYN R  
1781 BAYHILL DR  
ROCKWALL, TX 75087

PERALES LIVING TRUST  
1781 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

HOLCOMB RICHARD & KATHY  
1782 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1790 LAKE BREEZE  
ROCKWALL, TX 75087

BARBER TRUMAN JOSEPH & BARBARA  
1791 BAYHILL DR  
ROCKWALL, TX 75087

KING DOROTHY  
1793 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

DAVENPORT JAMES & MARYBETH  
1798 LAKE BREEZE DR  
ROCKWALL, TX 75087

VESTAL JEANETTE & ALSON  
1799 BAYHILL DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1803 LAKE BREEZE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1807 BAY HILL  
ROCKWALL, TX 75087

DAVIS JIMMY GOLAN AND TATIANA  
KAPOUSTINA-DAVIS  
1817 BAYHILL DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1822 BAY HILL  
ROCKWALL, TX 75087

KHABAZ ALLEN BLEEDO  
1827 BAYHILL DR  
ROCKWALL, TX 75087

REED LARRY K  
18333 ROE HAMPTON #323  
DALLAS, TX 75252

LAZY DALE PARTNERS LP  
202 N SAN JACINTO ST  
ROCKWALL, TX 75087



AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
30601 AGOURA ROAD SUITE 200  
AGOURA HILLS, CA 91301

CUTLER ELDON GEORGE & THALIA LONE  
40161 E 179TH STREET  
KINGSVILLE, MO 64061

VILLARREAL GLORIA M & JOSE C  
4914 W 106TH ST  
OAK LAWN, IL 60453

OH SINEUI  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO. LTD  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

OPEN HOUSE TEXAS REALTY & INVESTMENTS  
LLC  
5050 QUORUM DRIVE SUITE 120  
DALLAS, TX 75254

CRETI DANIEL AND MARTHA TRUST  
550 S SILVERADO WAY  
ANAHEIM, CA 92807

WILLIS RUTH HAYNES  
6168 PRESTONDELL DR  
DALLAS, TX 75240

BREEN ROBERT AND LAURA  
661 JUSTIN RD  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
915 SUNSET HILL DRIVE  
ROCKWALL, TX 75087



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

*Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, August 11, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 17, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, August 17, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

Ryan Miller, AICP  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

PLEASE RETURN THE BELOW FORM

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

Please place a check mark on the appropriate line below:

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2020\_030

Please place a check mark on the appropriate line below: \*



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

It does not cause any problems in our neighborhood.

## Respondent Information

Please provide your information.

## First Name \*

William and Kyoko

## Last Name \*

Boone



Address \*

1756 Lake Breeze Dr

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

wrboone@hotmail.com

Phone Number

214-641-2988



Please check all that apply: \*



I live nearby the proposed Zoning or Specific Use Permit (SUP) request.



I work nearby the proposed Zoning or Specific Use Permit (SUP) request.



I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.



I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.



Other: .....

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*



I received a property owner notification in the mail.



I read about the request on the City's website.



I saw a zoning sign on the property.



I read about the request in the Rockwall Herald Banner.



My neighbors told me about the request.



Other: .....

This content is neither created nor endorsed by Google.

Google Forms



Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

See attached explanation of Request to deny.

Name:

ARTHUR AKEND

Address:

1751 Bay Watch, Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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To: Mr. Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 South Goliad Street  
Rockwall, Texas 75087

From Arthur Akard  
1751 Bay Watch Drive  
Rockwall, Texas 75087

Ref: Case No, Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

I would like to register my opposition to the zoning variance request for an accessory building at 1748 Lake Breeze Drive, Rockwall, Texas 75087. Such a structure would be visible from the street as well as from the neighboring houses and it would detract from the overall appearances of the neighborhood. Additionally, it could very well block views of Lake Ray Hubbard for many of the surrounding house which people paid a premium to live in this neighborhood for. But most concerning it it would cause a decrease in the value of the surrounding houses due to negative aesthetic impact on the neighborhood. This in turn would mean reduced revenue for the county and school district via property taxes. Please deny the request.

If you have any questions or need clarification on my position, please feel free to mail me at the above address.



Arthur Akard



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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Your comments must be received by Monday, August 17, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning

USE THIS QR CODE  
TO GO DIRECTLY  
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

Please place a check mark on the appropriate line below:

- ☒ I am in favor of the request for the reasons listed below.  
☐ I am opposed to the request for the reasons listed below.

Mr. Klecha has done a considerable amount of research and invested money to have a successful project that will look good and enhance his property. I am in favor of approving this request!

Name: Doug Hamilton  
Address: 1774 Bay Watch Dr. Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

**Please place a check mark on the appropriate line below:**

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

So long as the construction meets safety & industry standards, the property should be authorized for an Accessory Building. It's their property and they should have the right to develop or build on the land.

Name:

ROBIN & ERIC MATHIAS

Address:

1011 HILLCREST GR, ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

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Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

A new cedar fence has been installed at the rear of the property, so the new structure will not be very visible from the front street or rear alley way.

Name:

TRUMAN JOSEPH BARBER

Address:

1791 BAYHILL DR. Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



Mark Klecha  
1748 Lake Breeze Drive  
Rockwall, TX 75087

To the Committee Board,

Thank You for taking the time to consider my special use permit application. I wanted to write to the board to explain my situation in hopes that it will answer any questions you may have on my project.

A quick background on what I am trying to do. I have been completing multiple home improvement projects around my home while I have the down time with the current pandemic situation; a new fence and an added driveway to be exact. During a pre-pour concrete inspection, I asked the Rockwall City Inspector to take a look at a potential location in my yard for a detached garage/workshop to get his inputs on what the requirements would be to build it. Because my yard has a drastic slope to it, he said this location would require an addition of a retaining wall and a concrete slab. He explained the property line set backs and how far the structure would need to be from our home. As well as all the precautions for underground water, sewer, gas and electric, which I had the city come out and inspect before I began the project. The inspector also showed me where to find additional information for specific permit requirements on the Rockwall website, which is what I have used as a template to start my project.

Armed with this knowledge I pulled permits for the retaining wall and concrete slab, all of which were approved by the city. That work is now complete and can be seen in the attached photos. I am finishing up the stone veneer around my concrete retaining wall and plan to have the final inspection done upon completion of the stonework. The concrete slab is also complete and has been finalized by the city. I have been fully transparent about my intentions to build this structure and have asked many questions along the way to ensure I was doing it according to city requirements. It wasn't until now that anyone mentioned the square footage limitations I was going to run into.

Fast forward to now. I applied for the permit to begin building the structure and this is where things took a surprise turn for my project. This is technically a detached garage, which affords me up to a 625 sq/ft structure per the city permit requirements. However, I was told in order to permit it as a detached garage, I would need a 12' wide driveway poured to the garage door (which is not mentioned anywhere on the "City of Rockwall Permit Requirements for Residential Portable, Accessory Buildings, Detached Garages and Carports" page). Due to the location of the structure on my property (see attached site plot), it would not be feasible or aesthetically pleasing to pour that much concrete through my backyard. So because of that one requirement, I must permit this



structure as an accessory building, which now forces me to limit the size of the building to 144 sq/ft. My structure will be approximately 360 sq/ft (see attached plan drawings). So I find myself in a sort of play on words where one allows me to build the structure while also requiring a lot of concrete and the other limits the square footage of the structure. This is why my application is in front of you today. If I wanted to pour a driveway through my backyard, I could technically get a detached garage permit and be able to build the structure without a special use permit. However, that would be cost prohibitive and quite frankly, not at all appealing for my back yard. I would think we can all agree on that?

Having said all of that, please allow me to explain how this structure will be an improvement to my property and all of the precautions I have taken to ensure my neighbors and the location of the structure have been taken into account. I have spoken to my neighbor on that side of my property about my plans and what I am doing. They fully support it and are even willing to sign a letter, if needed, to help this process along. My property also has two large oak trees located in front of and behind where this structure will be built (see attached photos) and they will block the majority of the structure from both the street and alley view. I also have a brand new 8' fence to block it from view as much as it can. I designed the structure to tie in with the architectural elements of our home so that it will not be an eyesore to the neighborhood.

I am asking for your consideration and approval of this permit. I began this project based on the information given to me by the Rockwall City Inspector and the information presented on the Rockwall website for permit requirements. I made large financial decisions based on that information and now find myself in this conundrum of what appears to be, in my opinion, a technicality on words vaguely defining what a structure is and the subsequent surrounding requirements that aren't completely defined on the permit requirements page (i.e. detached garage vs accessory building). At this point I have invested over \$7,000 dollars to build the retaining wall and the concrete slab for this structure. To be denied this special use permit at this point would be very unfortunate and put me in a tough situation.

I am hopeful that you will see my due diligence in using the city professionals and resources prior to beginning this project. I am asking for your help to see this project to its completion.

Again, Thank You for your time and consideration on this matter. If you have any questions or need more information, please contact me at (402) 315-8387 or markklecha@hotmail.com.

Warm Regards,

A handwritten signature in black ink, appearing to read "Mark Klecha". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.



# CITY OF ROCKWALL

## PERMIT REQUIREMENTS FOR RESIDENTIAL PORTABLE, ACCESSORY BUILDINGS, DETACHED GARAGES & CARPORTS.

A permit is required to erect portable or accessory buildings, detached garages and carports. Requirements are as follows:

1. Permit application
2. Site plan or property Survey – showing the location, size of the building (length, width, height), and the setbacks (distance) from the property line(s) and other structures on the property.
3. Buildings with concrete slabs will require two inspections & should not be located over a gas line. Buildings with electrical, Plumbing or mechanical need to be inspected before covered, such as with sheet-rock.
4. The permit fee is based on the square footage .

### SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings <sup>1 &amp; 3</sup>					Portable Accessory Building 0 SF – 120 SF <sup>8</sup>	Detached Garage <sup>8 &amp; 9</sup>	Carports <sup>7 &amp; 8</sup>
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 &	Two Family (2F) District			
Zoning Districts or Accessory Structure Type <input type="checkbox"/>									
Development Standards <input type="checkbox"/>									
Number of Accessory Structures or Number of Specific Accessory Structure		2 <sup>2</sup>	2 <sup>2</sup>	2 <sup>2</sup>	2	1	1	1	1
Maximum SF of Accessory Structure <sup>5</sup>		1,000 <sup>2</sup>	1,000 <sup>2</sup>	1250 <sup>2</sup>	144 <sup>6</sup>	100	120	625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	3	3	3	20 <sup>5</sup>	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet)		15	15	15	15	10	10	15	15

### ADDITIONAL REQUIREMENTS:

- ★ 1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- 2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- ★ 3: Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.
- ★ 4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- ★ 5: Accessory buildings and structures not meeting the size requirements stipulated by the section shall require a Specific Use Permit (SUP).
- ★ 6: Each property shall be permitted one (1) detached garage up to 625 SF and one (1) accessory building up to 144 SF.
- 7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- ★ 8: Two (2) story accessory buildings or structures shall be prohibited.
- ★ 9: Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

★ NO MENTION OF REQUIRED 12 FOOT DRIVEWAY TO QUALIFY AS A "DETACHED GARAGE"

★ NOTE 5 IS SORT OF HIDDEN AND NOTE 6 MAKES IT APPEAR THAT I WAS MEETING THE INTENT WITH MY STRUCTURE.



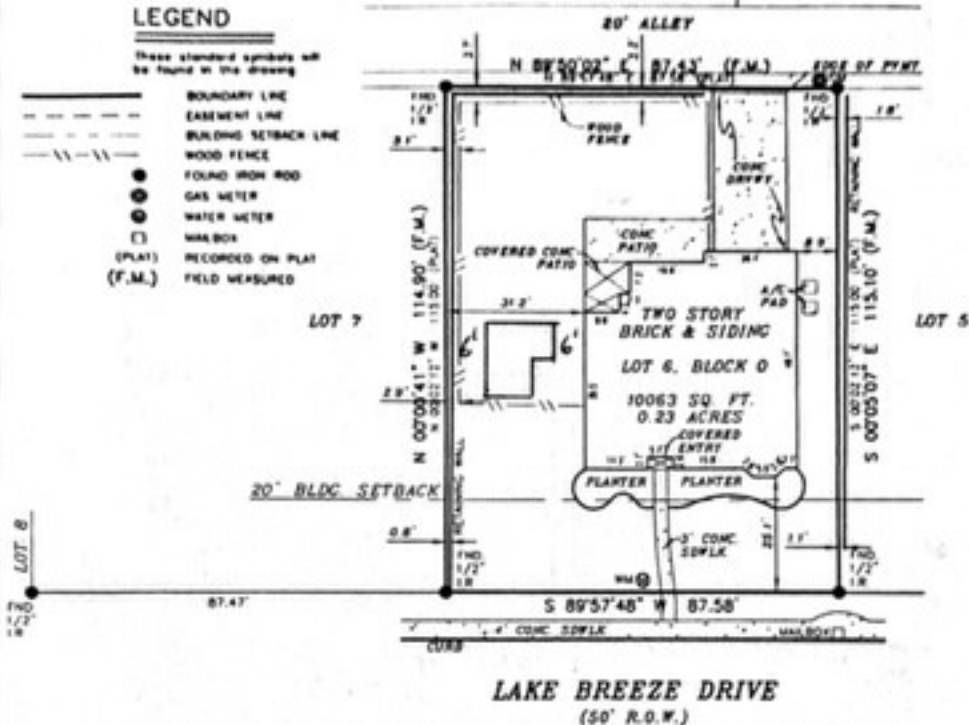
LOF 24

LOT 24

### LEGEND

These standard symbols will be found in the drawing.

- |                 |                       |
|-----------------|-----------------------|
| —————           | BOUNDARY LINE         |
| --- -- -- -- -- | EASEMENT LINE         |
| -----           | BUILDING SETBACK LINE |
| --- \ / \ / \ / | WOOD FENCE            |
| ●               | FOUND IRON ROD        |
| ⊗               | GAS METER             |
| ⊙               | WATER METER           |
| □               | MAILBOX               |
| (PLAT)          | RECORDED ON PLAT      |
| (F.M.)          | FIELD MEASURED        |



LAKE BREEZE DRIVE  
(50' R.O.W.)

#### LEGAL DESCRIPTION

BEING LOT 8, BLOCK 8 OF HILLCREST SHORES,  
AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY,  
TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN  
CABINET C, SLIDE 199, PLAT RECORDS, ROCKWALL COUNTY,  
TEXAS.

**FLOOD INSURANCE NOTE** By graphics plotting only, this property is in ZONE X of the Flood Insurance Rate Map, Community Panel # 48357C 00030.1, effective date of SEPTEMBER 26, 2008. Exact designations can only be determined by a Elevation Certificate. Based on the above information, this property is NOT in a Special Flood Hazard Area.

SUPPLIER'S NOTE:  
BAGS OF BEANMEAL, RECORDED  
PLAT UNLESS OTHERWISE NOTED

**GRAPHIC SCALE**

I, ROY JOHN RONNFELDT, a Registered Professional Land Surveyor in the State of Texas  
do hereby certify to NEXTER-FAIR TITLE COMPANY  
and

That the above map is true and correct according to an actual field survey, made by me on the ground or under my supervision, the property shown hereon as decided by field notes accompanying this drawing I further certify that all easements and rights-of-way which I have been advised are shown herein and that, except as otherwise noted, there are no visible encroachments, no overlapping of improvements, and no apparent discrepancies or conflicts in the boundary lines, nor capable of interpretation as easements or rights-of-way as of the date of the fileable instrument, neither certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying (Section 603.08)

Lat/Lt \_\_\_\_\_ S Block \_\_\_\_\_ NCB \_\_\_\_\_ Survey No. \_\_\_\_\_ Abstract No. \_\_\_\_\_

Survey of Subdivision \_\_\_\_\_ **MILWAUKEE SUBDIVISION AN ADDITION TO THE CITY OF ROCKWALL**

Captain C. Stoeckel 199-200 of the Map/Deed and Plat Records of Rockwall County, Texas

Borrower/Owner \_\_\_\_\_ **CHARLES M. HUSTON AND KENDALL HUSTON**

Address \_\_\_\_\_ 1708 LAKE BREEZE DRIVE \_\_\_\_\_ CF No. \_\_\_\_\_ FALTIMIRE

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN  
VOLUME 841, PAGE 174, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS  
VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS

PROPERTY PHOTOGRAPHY



### FINAL "AS-BUILT" SURVEY

JOB NO.	1105006367	NO.	REVISION	DATE
DATE	05/27/11			
DRAWN BY	WPL/YW			
APPROVED BY	RJR			



ROY JOHN MONNFELD, R.P.L.S.  
Registered Professional Land Surveyor  
Registration No. 1520



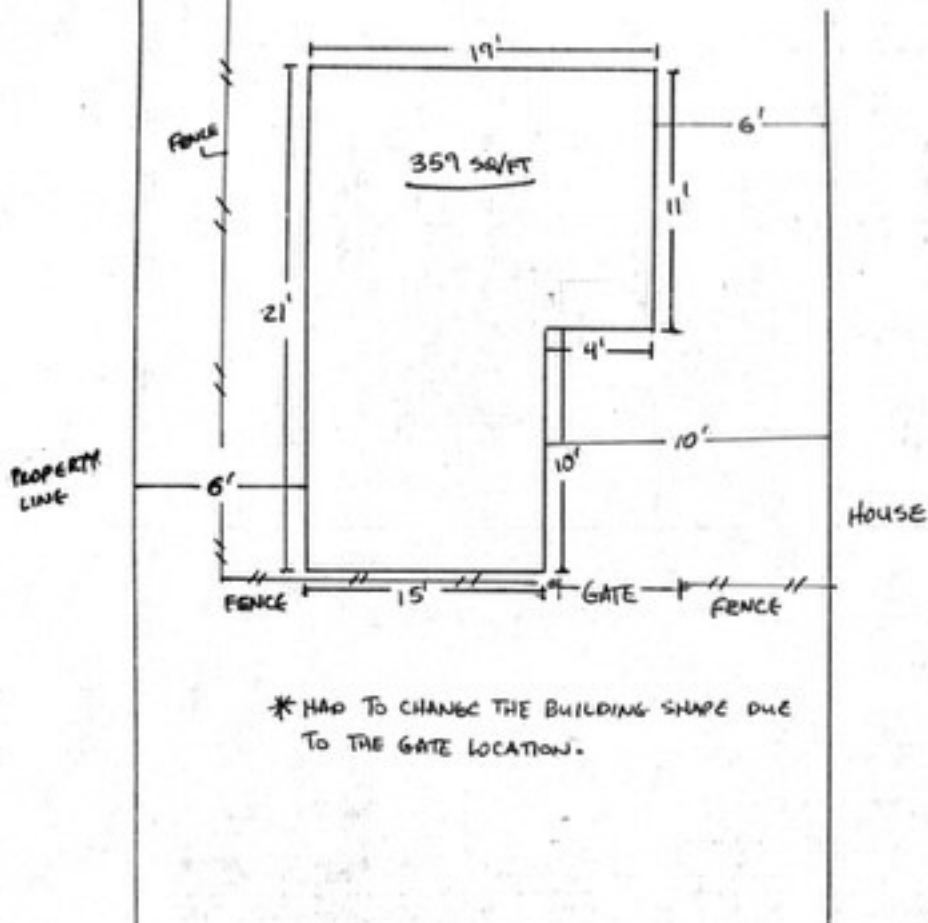
**AMERISURVEYORS, LLC**  
11711 Woodfield Road • San Antonio, Texas 78239  
Phone: (214) 572-0966 Fax: (214) 572-0967

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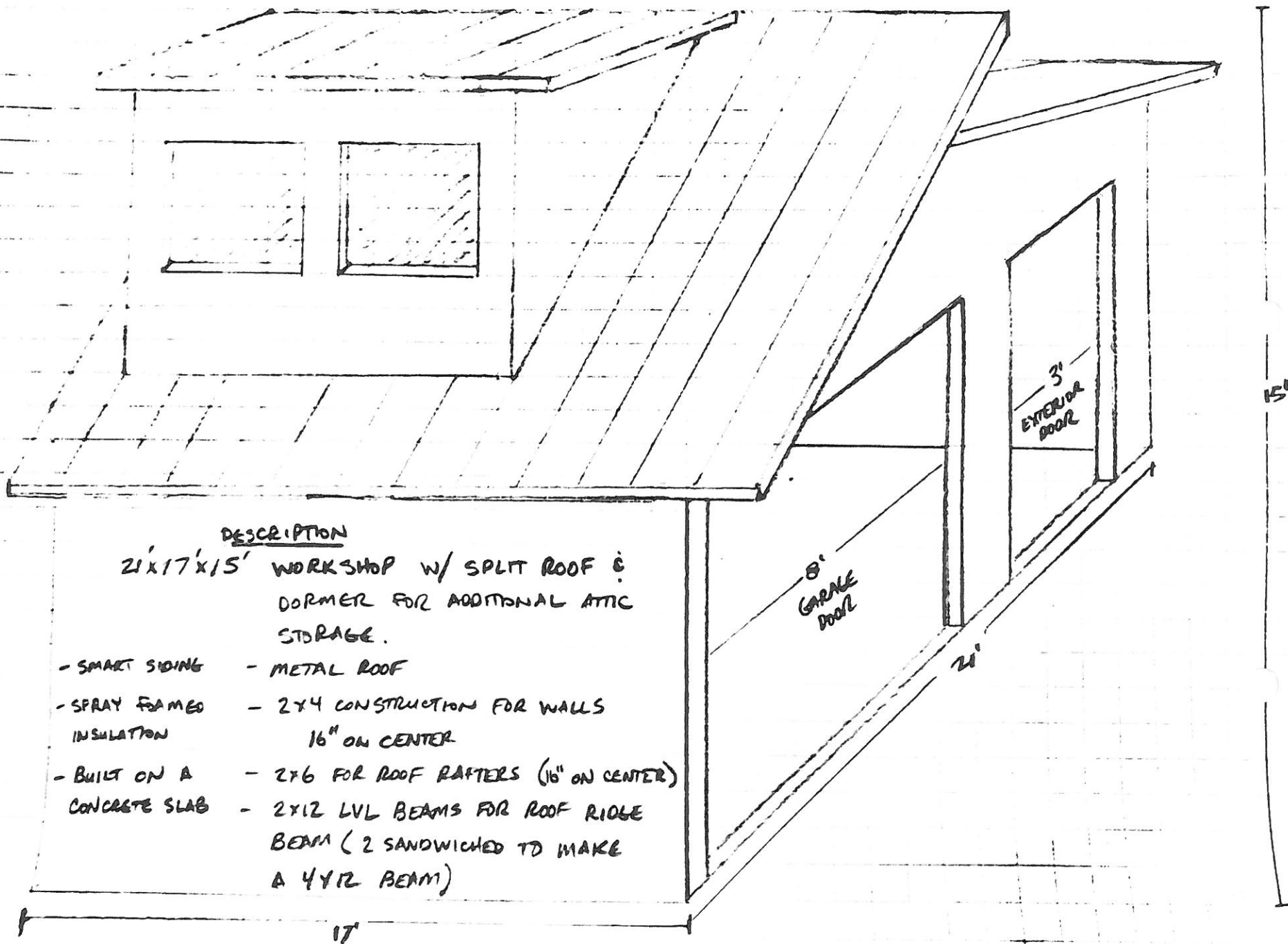
\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS.

\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FORBES EMAIL)

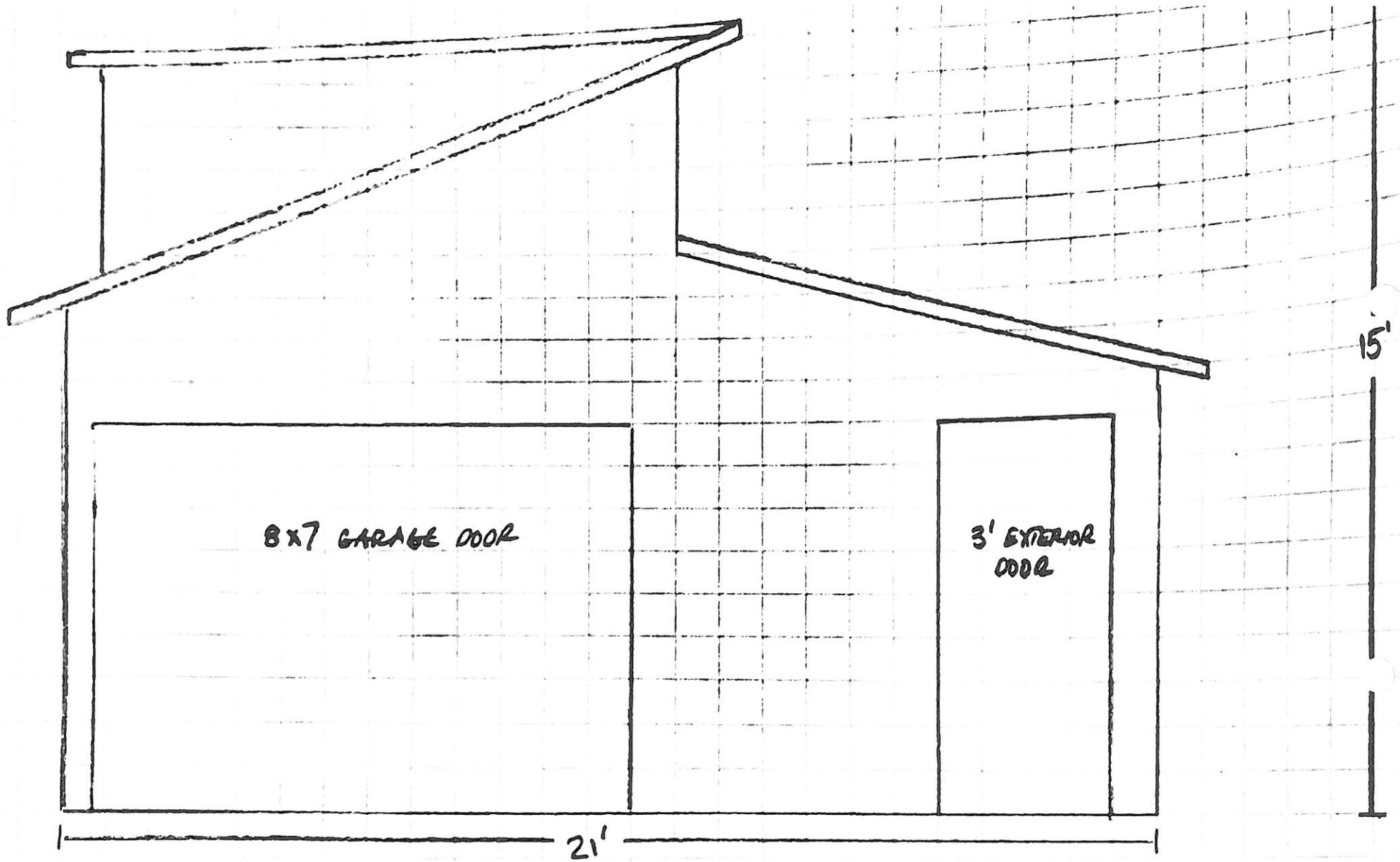


\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.











PROPERTY LINE

RETAINING WALL

3' SET  
BACK

FENCE

NOTES:

- CONCRETE SLAB
- WORKSHOP WILL BE 3' FROM PROPERTY LINE &  
OVER 10' FROM MY HOUSE.
- 357' SQUARE FEET

FENCE

17'

21'

10' SET  
BACK  
FROM  
HOME



\* STRUCTURE WILL BE MOSTLY COVERED  
WITH FENCE AND OAK TREES FROM THE  
FRONT AND BACK









CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an Accessory Building that exceeds the maximum allowable size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth



in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

## 2.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 360 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## 2.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.



PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020



**Exhibit 'A'**  
**Zoning Exhibit**

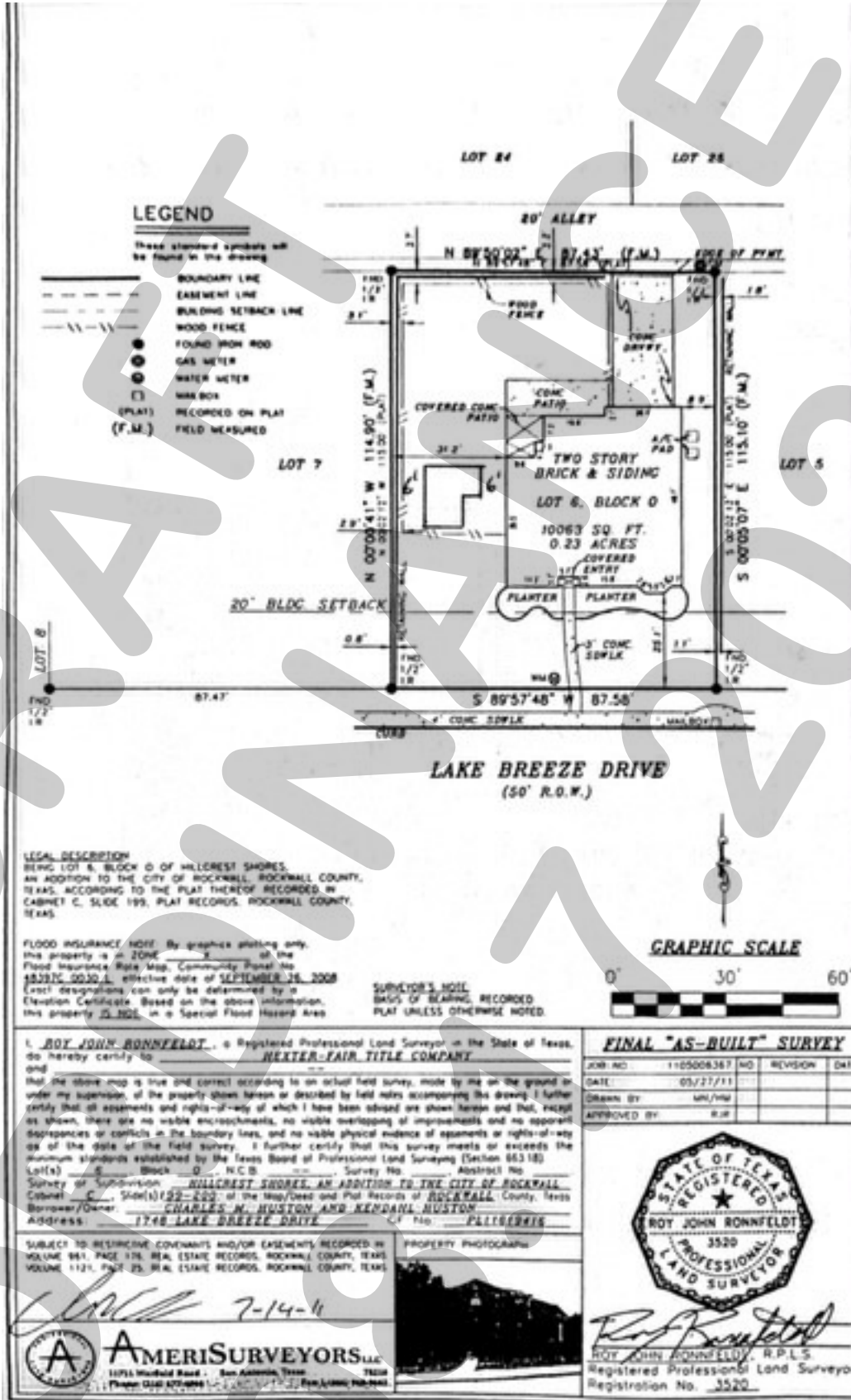
Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition



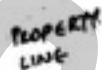


## Exhibit 'B': *Site Plan*



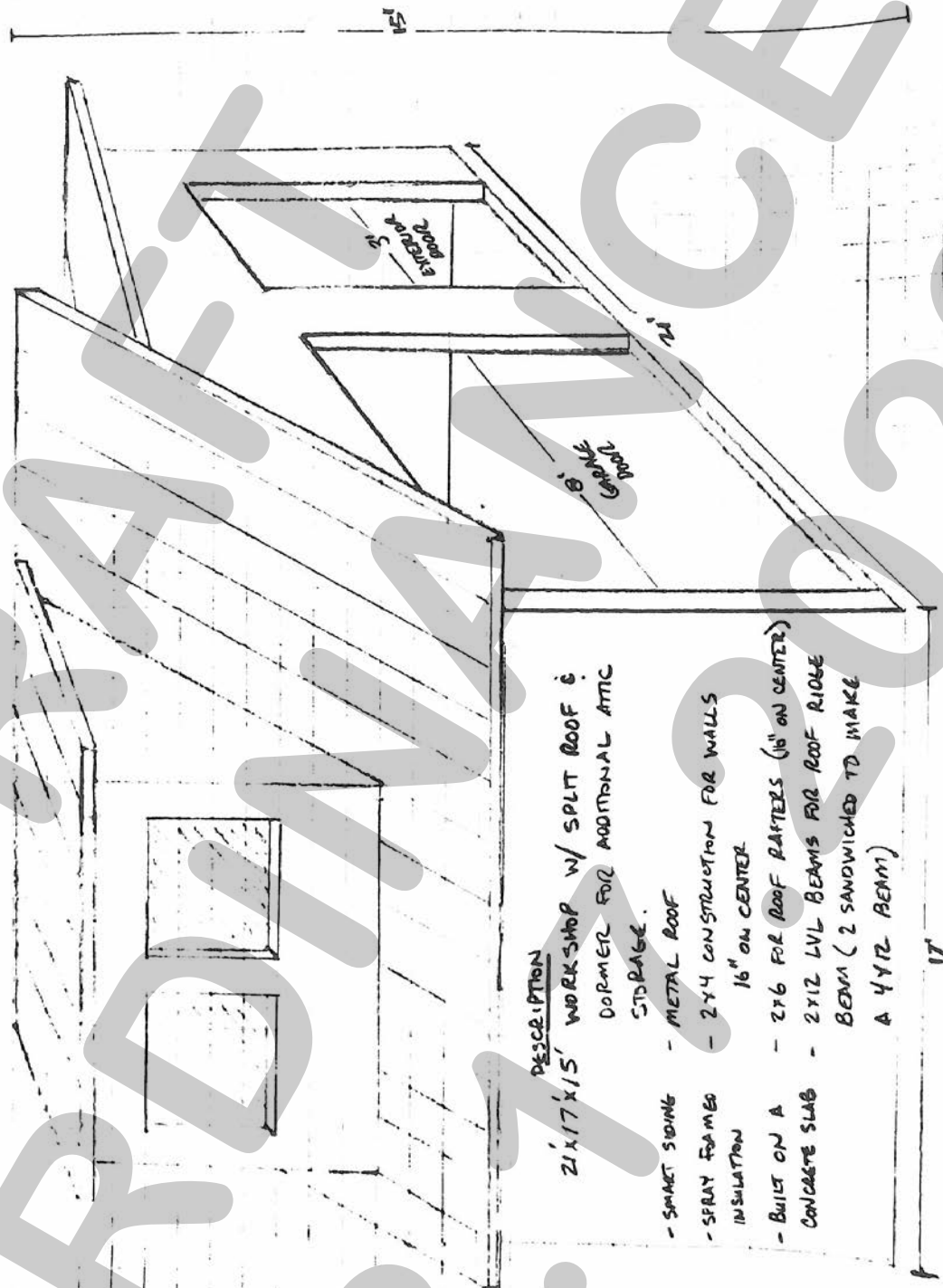


## Site Plan





**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*





# MINUTES



PLANNING AND ZONING COMMISSION MEETING  
CITY HALL, 385 SOUTH GOLIAD, ROCKWALL, TEXAS  
AUGUST 11, 2020 IN THE CITY COUNCIL CHAMBERS AT 6:00 PM

## I. CALL TO ORDER

Chairman Eric Chodun called the meeting to order at 6:03 PM. Commissioners present were John Womble, Tracey Logan, Sedric Thomas, Annie Fishman, and Mark Moeller. Absent from the meeting was Vice-Chairman Jerry Welch. Staff members present were Planning and Zoning Director Ryan Miller, Planning and Zoning Manager David Gonzales, Planner Henry Lee, Planning and Zoning Coordinator Angelica Gamez, and Civil Engineer Jeremy White. Absent from the meeting were City Engineer Amy Williams and Civil Engineer Sarah Johnston.

## II. OPEN FORUM

Chairman Chodun explained how open forum is conducted and asked if anyone wished to speak to come forward at this time. There being no one coming forward, Chairman Chodun closed the open forum.

## III. APPOINTMENTS

1. Appointment with the Architectural Review Board (ARB) Chairman to receive the Architectural Review Board's recommendations and comments for items on the agenda requiring architectural review.

Planning and Zoning Director Ryan Miller gave a brief explanation concerning the agenda items that were discussed at the Architectural Review Board meeting.

## IV. CONSENT AGENDA

2. Approval of Minutes for the July 28, 2020 Planning and Zoning Commission meeting.

### 3. SP2020-012 (DAVID GONZALES)

Discuss and consider a request by Cody Johnson of Cody Johnson Studio, LLC on behalf of Jose Campos of Hines for the approval of a Site Plan for the *amenities center* for the Saddle Star Estates Subdivision being a 0.782-acre portion of a larger two (2) acre tract of land identified as Tract 1 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 Bypass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard south of Featherstone Drive, and take any action necessary.

### 4. SP2020-017 (DAVID GONZALES)

Discuss and consider a request by Jimmy McClintock of HWY 66 Properties, LP for the approval of a Site Plan for an *office building* on a 0.28-acre parcel of land identified as Lot 2-R, Block A, Washington Place Addition, City of Rockwall, Rockwall County, Texas, zoned Downtown (DT) District, addressed as 407 W. Washington Street, and take any action necessary.

Commissioner Sedric Thomas made a motion to approve the consent agenda. Commissioner John Womble seconded the motion which passed by a vote of 6-0 with Vice-Chairman Welch absent.

## V. PUBLIC HEARING ITEMS

### 5. Z2020-030 (RYAN MILLER)

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Director of Planning and Zoning Ryan Miller provided a brief summary in regards to the request. The applicant is requesting approval of a Specific Use Permit (SUP) of an accessory building that exceeds the maximum square footage. According to the Unified Development Code (UDC), an accessory building in a Single-Family 10 (SF-10) District is limited to 144 square feet with a 3-foot rear setback, a 6-foot side setback, and a 15-foot total overall height. The structure is also required to be 6-feet from the primary structure. According to the new plans provided, the applicant is now in compliance with all setback and height requirements even though the structure itself is 359 square feet. The exterior of the structure is going to be a smart lap-siding and a standing seam metal roof which will be complimentary to the primary structure. Any approval of a specific use permit is a discretionary decision for the City Council pending a



58 recommendation from the Planning and Zoning Commission. In accordance with all zoning case, Staff sent out 100 notices to property  
59 owners and residents within 500-feet of the subject property on July 23, 2020. Any Homeowners Associations within 1500- feet of the  
60 property were also notified. Mr. Miller mentioned that one of the conditions of approval of this case was that the applicant was required,  
61 if approved, to submit a letter from a structural engineer certifying that the recently built retaining wall can support that building's weight  
62 before a building permit is issued. Mr. Miller advised the Commission that the applicant and Staff were present to answer questions.  
63

64 Commissioner Logan had a question in regards to the retaining wall on the property and on the carports on the area.

65 Commissioner Womble had a question in regards to the property blocking the lake views.

66  
67 Commissioner Fishman asked if this was the only accessory structure on the property and, if approved, would it limit the applicant to  
68 have additional ones in the future.  
69

70 Chairman Chodun asked the applicant to come forward.  
71

72  
73 Mark Klecha  
74 407 W. Washington Street  
75 Rockwall, TX 75087  
76

77 Mr. Klecha came forward and was prepared to answer additional questions.

78  
79 Chairman Chodun opened the public hearing and asked if anyone wished to speak to come forward and do so at this time.  
80

81 Doug Hamilton  
82 1774 Baywatch Drive  
83 Rockwall, TX 75087  
84

85 Mr. Hamilton came forward and provided a brief history of himself and his property and explained that the structure would not obstruct  
86 the lake views from the property. He expressed his favor in regards to the request.  
87

88 Chairman Chodun asked if there was anyone else who wished to speak. There being no one doing such, Chairman Chodun closed the  
89 public hearing and brought the item back to the Commission for discussion or action.  
90

91 Commissioner Logan expressed her opposition to the size of the accessory structure.  
92

93 Commissioner Moeller shared concerns with Commissioner Logan in regards to size but understood there was confusion surrounding  
94 the case and why the applicant started the process beforehand.  
95

96 Commissioner Womble expressed his opposition in regards to the size of the structure as well.  
97

98 Chairman Chodun expressed his being in favor of the request.  
99

100 Commissioner Moeller made a motion to approve item Z2020-030 with staff recommendations. Commissioner Fishman seconded the  
101 motion which passed by a vote of 4-2, with Commissioners Logan and Womble dissenting.  
102

103 Chairman Chodun advised the applicant that the case would go before the City Council on August 17, 2020.  
104

105 6. Z2020-031 (RYAN MILLER)

106 Hold a public hearing to discuss and consider a request by Pat Atkins of KPA Consulting, Inc. on behalf of the owners C. D. T.  
107 Rockwall 2017, LLC for the approval of a Zoning Amendment to Planned Development District 79 (PD-79) [Ordinance No. 16-39]  
108 for the purpose of amending the development standards contained in Ordinance No. 16-39 for a 70.408-acre tract of land  
109 identified as Tracts 1, 1-03, 1-5 & 2-03 of the P. B. Harrison Survey, Abstract No. 97, City of Rockwall, Rockwall County, Texas,  
110 zoned Planned Development District 79 (PD-79) for Single-Family 8.4 (SF-8.4) District land uses, situated within the SH-205 By-  
111 Pass Overlay (SH-205 BY-OV) District, located on the north side of John King Boulevard east of the intersection of John King  
112 Boulevard and Featherstone Drive, and take any action necessary.  
113

114 Planning and Zoning Director Ryan Miller provided a brief background in regards to the request. The property was originally zoned in  
115 2016 and is commonly referred to Saddle Star Estates South. At the time of approval, the original zoning allowed 113 lots that were 70 x  
116 125-foot and all the garage orientations were either a traditional swing or j-swing with both of these conforming to the requirements of  
117 the Unified Development Code at that time. In October of 2016, the applicant requested to amend the Planned Development district to  
118 add 25 lots along with adding additional area to the Planned Development district. Along with this request, the applicant also requested  
119 to allow 80% front entry garages in the subdivision and was ultimately approved 50% front entry by the City Council. In September 2019,  
120 the applicant submitted a subsequent request to amend the Planned Development District to add 38 additional lots to bring the total to  
121 176 lots. All of the proposed 80x100 foot lots were to have a traditional swing or j-swing orientation. The request brought before the  
122 Commission tonight is for the applicant to have the ability have 30% of the lots in a flat front entry format. The remaining 70% of the lots  
123 are to be either in a traditional swing or modified swing format. Mr. Miller then explained the four (4) different format for the garages



Commissioner Chodun stated that he was in agreeance with the Commissioners and he knew the applicant's intentions were good but maybe the applicant need to have more discussions with the City to reach a resolution.

Commissioner Logan then asked for clarification on what exactly they were voting on.

Mr. Miller explained that the approval would be of incidental display. And the applicant would be requesting 5 variances and it would cause 10 compensatory measures.

Mr. Miller explained that the applicant is requesting to amend the site plan to add the incidental display. Incidental display has very specific standards in the Code. What the applicant is requesting to do is similar to outside sales which are not allowed and the only way to facilitate it would be through the incidental display. The incidental display outlines exactly what you can and cannot do and the applicant does not meet the majority of those requirements. Each one that he does not meet is a variance or exception and the only way to request exceptions in the code is to provide offsetting compensatory measures. In this case, the applicant is requesting five (5) variances and, in order to meet the code, he would need to provide ten (10) offsetting compensatory measures. There is not enough space for him to be able to meet those measures so he is basically requesting the exceptions not in conformance to the code. What the Commission would be approving would be a request that doesn't conform to the incidental display requirements.

Commissioner Womble made a motion to deny item SP2020-015 without prejudice. Commissioner Thomas seconded the motion which passed by a vote of 6-0.

## VII. DISCUSSION ITEMS

### 11. Director's Report of post City Council meeting outcomes for development cases (RYAN MILLER).

- P2020-028: Replat for Lot 9, Block A, Bodin Industrial Tract [APPROVED]
- Z2020-023: SUP for *Residential Infill Adjacent to an Established Subdivision* for 54 Shadydale Lane [APPROVED; 2<sup>ND</sup> READING]
- Z2020-024: Zoning Amendment to Planned Development District 78 (PD-78) [APPROVED; 2<sup>ND</sup> READING]
- Z2020-025: SUP for a *General Retail Store and Hair Salon and/or Manicurist* for 507 N. Goliad Street [APPROVED; 2<sup>ND</sup> READING]
- Z2020-027: SUP for a *General Retail Store and Banquet Facility/Event Hall* for 803 N. Goliad Street [APPROVED; 2<sup>ND</sup> READING]
- Z2020-028: Zoning Amendment to Planned Development District 10 (PD-10) [APPROVED; 2<sup>ND</sup> READING]
- Z2020-029: Zoning Change (AG to SFE-2.0) [APPROVED; 2<sup>ND</sup> READING]

Planning and Zoning Director Ryan Miller provided a brief update about the outcome of the above referenced cases at the City Council meeting.

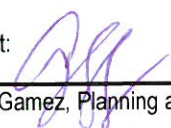
## VIII. ADJOURNMENT

Chairman Chodun adjourned the meeting at 7:25 PM.

PASSED AND APPROVED BY THE PLANNING & ZONING COMMISSION OF THE CITY OF ROCKWALL, Texas, this  
25 day of August, 2020.

  
Eric Chodun, Chairman

Attest:

  
Angelica Gamez, Planning and Zoning Coordinator





# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Monday, August 17, 2020 - 5:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the meeting to order at 5:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley and Assistant City Managers Mary Smith and Joey Boyd. City Attorney Frank Garza joined Ex. Session via telephone. Councilmember Dana Macalik arrived to the meeting and joined Ex. Session at 5:05 p.m.

### II. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section 551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section 551.071 (Consultation with Attorney)

**Consent Agenda Item # 2.** Consider approval of an ordinance reducing the City of Rockwall's Extraterritorial Jurisdiction (ETJ) by releasing a 3,796.18 acre tract of land generally located South of FM-550, North and West of FM-548, and East of Edwards Road to the County of Rockwall, and take any action necessary. (2nd Reading)

**Action Item #1. P2020-029** - Discuss and consider a request by DR Horton – Texas, LTD on behalf of DMDS Land Company, LLC for the approval of a Preliminary Plat for River Rock Trails, Phase 1A Addition being a 35.28-acre portion of a larger 1,225.721-acre tract of land identified as Tract 11 of the F. Baugess Survey, Abstract No. 7, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally north of the intersection of FM-548 and High Plains Trail, and take any action necessary. pursuant to Section 551.071 (Consultation with Attorney)

### III. ADJOURN EXECUTIVE SESSION

Council adjourned from Ex. Session at 5:25 p.m.

### IV. RECONVENE PUBLIC MEETING (6:00 P.M.)

Mayor Pruitt reconvened the public meeting at 6:02 p.m. with all seven city council members being present.

### V. INVOCATION AND PLEDGE OF ALLEGIANCE - COUNCILMEMBER CAMPBELL



CORPORATE BOUNDARIES OF THE CITY OF ROCKWALL; PROVIDING FOR AMENDING AND CORRECTING THE OFFICIAL CORPORATE AND EXTRATERRITORIAL BOUNDARIES OF THE CITY AS HERETOFORE ADOPTED AND CORRECTING THE OFFICIAL CITY MAPS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

The motion passed by a vote of 7 ayes to 0 nays.

**X. PUBLIC HEARING ITEMS**

1. **Z2020-030** - Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of an ordinance for a *Specific Use Permit (SUP)* for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (1st Reading).

Planning Director Ryan Miller provided background information pertaining to this agenda item. Notices were sent out to property owners located within 500' of the subject property, with four notices having been received back in favor and one notice received in opposition.

Mayor Pruitt opened the public hearing. The applicant briefly came forth and indicated he would be happy to answer any questions council may have. There being no one else wishing to come forth and speak, Mayor Pruitt then closed the Public Hearing.

General discussion ensued pertaining to the applicant's request and what he is wanting to do. Extensive discussion also took place pertaining to the way the city's code(s) is currently written pertaining to these types of structures and if, potentially, those regulations need to be changed.

Mayor Pro Tem Fowler moved to approve Z2020-030. Mayor Pruitt seconded the motion. The ordinance was read as follows:

CITY OF ROCKWALL  
ORDINANCE NO. 20-XX  
SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.



unanimously of those present. Johannesen then moved to newly appoint to the Park Board Amanda Fowler (to replace Charles Johnson). Councilmember Macalik seconded the motion, which passed by a vote of 6 ayes to 1 abstention (Fowler).

Mayor Pro Tem Fowler moved to reappoint Steve Albers and Gary Freedman to the Animal Advisory Board. Councilmember Campbell seconded the motion, which passed by a vote of 7 ayes to 0 nays.

Councilmember Campbell moved to appoint Gary Cannavo to the Main Street Advisory Board (to replace Stuart Smith for a term to expire in Jan. of 2022). Councilmember Daniels seconded the motion, which passed by a vote of 7 ayes to 0 nays.

**XII. EXECUTIVE SESSION.**

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding appointments to city regulatory boards, commissions, and committees (Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**XIII. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**


Council did not convene in Ex. Session following the close of the public meeting agenda.

**XIV. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 7:36 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS  
8<sup>th</sup> DAY OF SEPTEMBER, 2020.**

**ATTEST:**

  
**KRISTY COLE, CITY SECRETARY**



  
**JIM PRUITT, MAYOR**





# MINUTES

## ROCKWALL CITY COUNCIL REGULAR MEETING

Tuesday, September 08, 2020 - 4:00 PM

City Hall Council Chambers - 385 Goliad St., Rockwall, TX 75087

### I. CALL PUBLIC MEETING TO ORDER

Mayor Pruitt called the public meeting to order at 4:00 p.m. Present were Mayor Jim Pruitt, Mayor Pro Tem Kevin Fowler and Council Members Anna Campbell, Dana Macalik, John Hohenshelt, Bennie Daniels and Trace Johannesen. Also present were City Manager Rick Crowley, Assistant City Managers Mary Smith and Joey Boyd and City Legal Counsel, Patrick Lindner.

### II. WORK SESSION

1. Hold a work session on itinerant vendors to discuss and consider changes to Article III, *Peddlers, Solicitors, and Itinerant Vendors*, of Chapter 12, *Businesses and Sales*, of the Municipal Code of Ordinances, and take any action necessary.

Planning Director, Ryan Miller, briefed the Council on proposed changes to this portion of the Code, mainly related to changes associated with itinerant vendors. Council took no action concerning this work session item at this time. However, Mayor Pruitt pointed out that this topic is listed as an "Action Item" on tonight's agenda. Council members generally indicated that they would like to take action on this later this evening.

2. Hold a work session on residential accessory structures to discuss changes to Article 05, *District Development Standards*, of the Unified Development Code (UDC), and take any action necessary.

Planning Director, Ryan Miller, briefed Council on this topic. No action was taken as a result of this work session discussion. Indication was given that staff will bring forth formal changes to the ordinance provisions at a future Council meeting.

Mayor Pruitt read the following discuss items into the public record before recessing the meeting to go into Executive Session at 4:53 p.m.

### III. EXECUTIVE SESSION.

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)



Mayor Pruitt provided brief comments pertaining to the RCAD in general and to this proposed expansion request. He expressed that he believes this request is needed and reasonable.

Councilmember Johannesen moved to approve the RCAD's expansion proposal, as presented. Councilmember Daniels seconded the motion, which passed by a vote of 6 ayes with 1 abstention (Hohenshelt).

## **XII. PUBLIC HEARING ITEMS**

1. Hold a public hearing to receive comments regarding the Proposed FY2021 City of Rockwall Budget and tax rate and take any action necessary.

City Manager Rick Crowley provided introductory comments pertaining to this agenda item. He generally indicated that this budget reflects a very conservative approach, especially in light of COVID-19 and its potential impacts on the local economy. He went on to explain that the city's charter does allow for budget amendments, so staff will remain mindful of this and will be sure to come to Council, accordingly, should the need for amendment requests arise.

Following Mr. Crowley's comments, Mayor Pruitt shared that a work session on the budget was held with staff and Council about two weeks ago.

Mrs. Mary Smith, Assistant City Manager/Finance Director, then provided comments, sharing a little more details regarding 'numbers' associated with both the budget and proposed tax rate.

Mayor Pruitt opened the public hearing, asking if anyone would like to come forth and speak at this time.

Bob Wacker  
309 Featherstone Drive  
Rockwall, TX

Mr. Wacker came forth and shared that he lives in a very vibrant area of the city. He generally encouraged that the City consider finding additional revenue sources in the future. He acknowledged that City of Rockwall residents enjoy one of the lowest (total) tax bills of any other place/county in the area. He thanked the Council for all it does.

There being no one else wishing to come forth and speak, Mayor Pruitt closed the public hearing.

Mayor Pruitt moved to advertise the adoption of the tax rate on September 21, 2020 at a rate of .3700 per \$100 of valuation. Mayor Pro Tem Fowler seconded the motion. Following brief, clarifying comments, the motion passed by a vote of 6 ayes to 1 nay (Macalik).

## **XIII. ACTION ITEMS**

1. **2020-030** – Discuss and consider a request by Mark Klecha for the approval of an ordinance for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall,



Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary (2nd Reading).

**Mayor Pro Tem Fowler moved to approve Z2020-030. Councilmember Hohenshelt seconded the motion. The ordinance was read as follows:**

**CITY OF ROCKWALL  
ORDINANCE NO. 20-34  
SPECIFIC USE PERMIT NO. S-231**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**The motion passed by a vote of 5 ayes with 2 nays (Daniels, Macalik).**

2. **P2020-031** - Discuss and consider a request by Kerry Joshua Sparks for the approval of a Final Plat for Lot 1, Block A, Sparks Six Addition being a 2.88-acre tract of land identified as Tract 3-03, 3-05, & 3-07 of the M. Simmons Survey, Abstract No. 194, Rockwall County, Texas, situated within the City of Rockwall's Extraterritorial Jurisdiction (ETJ), generally located on the west side of Old Millwood Road north of the intersection of Old Millwood Road and FM-552, and take any action necessary.

**Planning Director Ryan Miller provided background information pertaining to this agenda item. Councilmember Johannesen asked for clarification on the lot frontage requirements, and Mr. Miller provided said clarification.**

**Councilmember Johannesen moved to approve P2020-031. Councilmember Macalik seconded the motion, which passed unanimously of those present (7 ayes to 0 nays).**

3. Discuss and consider proposal from Republic Waste to extend the current Solid Waste Collection agreement and take any action necessary.

**Mary Smith, Assistant City Manager / Finance Director, introduced Rick Bernas from Republic Waste. Mr. Bernas came forth and provided brief comments to Council, generally indicating that his company is requesting a five-year extension of the current contract. There has been about a 37% increase in residential volume since COVID-19 hit. He went on to share details of what Republic did for its own employees during COVID (i.e. buying lunch for its employees and their families (up to 4 people) every Friday and issuing gift cards to stimulate the local economy).**



City Manager Rick Crowley pointed out that he gave each council member a handout related to the countywide roadway traffic consortium and its recent activities. He encouraged the Council to be thinking about what future roadway related projects it would like to see, as the consortium is seeking said input from each member entity that participates in these countywide roadway planning projects.

Mayor Pruitt then indicated that Council would be going back into Executive Session to address item #1 shown below. He recessed the public meeting to do so at 7:30 p.m.

**XV. EXECUTIVE SESSION.**

THE CITY OF ROCKWALL CITY COUNCIL WILL RECESS INTO EXECUTIVE SESSION TO DISCUSS THE FOLLOWING MATTER AS AUTHORIZED BY CHAPTER 551 OF THE TEXAS GOVERNMENT CODE:

1. Discussion regarding City Manager employee evaluation, pursuant to Section 551.074 (Personnel Matters)
2. Discussion regarding City of Rockwall vs. Richard Brooks pursuant to Section §551.071 (Consultation with Attorney).
3. Discussion and interviews regarding appointments to city regulatory boards, commissions, and committees (Rockwall Economic Development Corporation (REDC), Board of Adjustments & Planning and Zoning Commission), pursuant to Section 551.074 (Personnel Matters)
4. Discussion regarding the appeal to the Public Utility Commission filed by the cities of Garland, Mesquite, Plano and Richardson against the North Texas Municipal Water District (NTMWD) regarding water rates pursuant to Section §551.071 (Consultation with Attorney)

**XVI. RECONVENE PUBLIC MEETING & TAKE ANY ACTION AS RESULT OF EXECUTIVE SESSION**

Council came out of Ex. Session and took no action.

**XVII. ADJOURNMENT**

Mayor Pruitt adjourned the meeting at 8:25 p.m.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, THIS 21<sup>st</sup> DAY OF SEPTEMBER, 2020.**

  
JIM PRUITT, MAYOR

**ATTEST:**

  
KRISTY COLE, CITY SECRETARY





CITY OF ROCKWALL

ORDINANCE NO. 21-XX

SPECIFIC USE PERMIT NO. S-2XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING PLANNED DEVELOPMENT DISTRICT 11 (PD 11) AND THE UNIFIED DEVELOPMENT CODE (UDC) [*ORDINANCE NO. 20-02*] OF THE CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN *ACCESSORY BUILDING* THAT EXCEEDS THE MAXIMUM ALLOWABLE HEIGHT AND SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an *accessory building* that exceeds the maximum allowable height and size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the approval of this Specific Use Permit (SUP) ordinance shall supersede all requirements stipulated by *Ordinance No. 20-34 [S-231]*; and,

**SECTION 2.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified



Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 3.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

### 3.1. OPERATIONAL CONDITIONS

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 570 SF (i.e. 330 SF – 1<sup>st</sup> floor & 240 SF – 2<sup>nd</sup> floor).
- (3) The *Accessory Building* shall not exceed a height of more than 16-feet, 6-inches.
- (4) The *Accessory Building* shall not be used as a guest quarters/secondary living unit.
- (5) The subject property shall not have more than one (1) accessory building.

### 3.2. COMPLIANCE

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 4.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 5.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 6.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of



any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 8.** That this ordinance shall take effect immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 7<sup>TH</sup> DAY OF JUNE, 2021.**

\_\_\_\_\_  
Kevin Fowler, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: May 17, 2021

2<sup>nd</sup> Reading: June 7, 2021



**Exhibit 'A'**  
**Zoning Exhibit**

Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition





**Exhibit 'B':**  
**Site Plan**

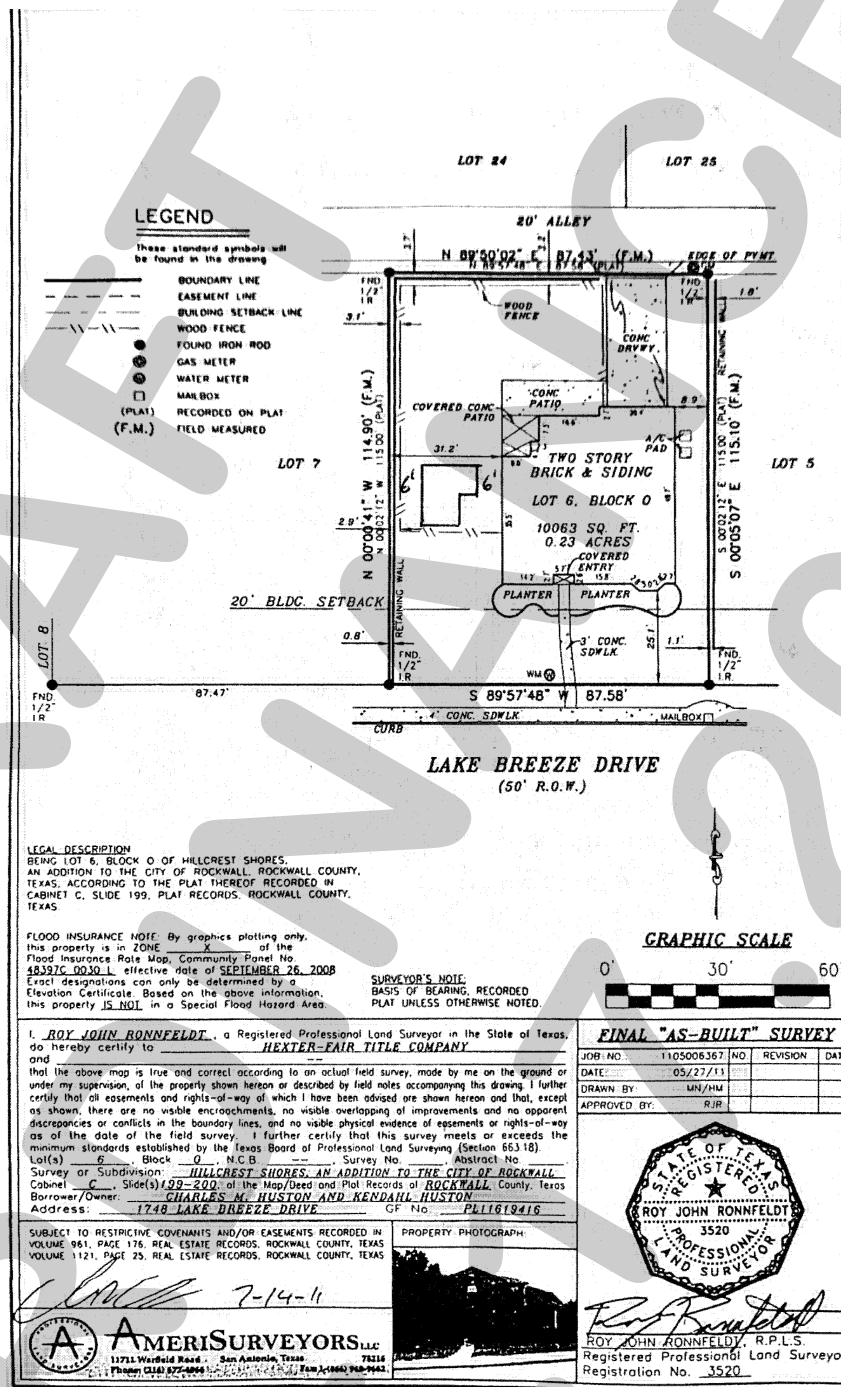
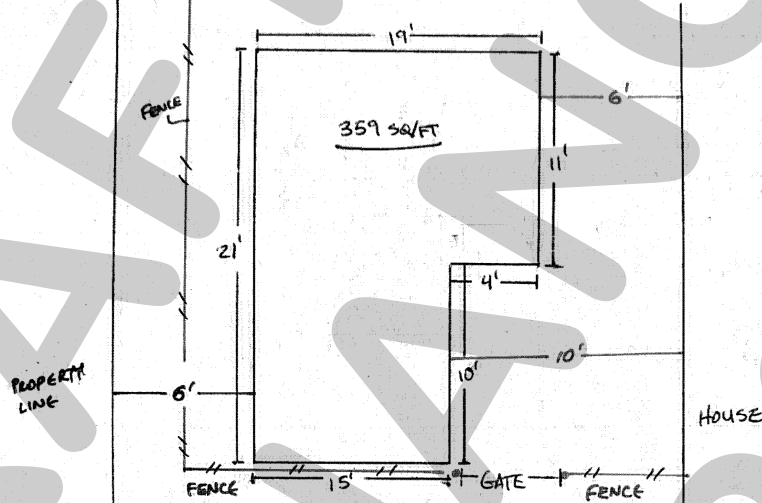




Exhibit 'B':  
Site Plan

\* NEW DESIGN DUE TO SET-BACK REQUIREMENTS -

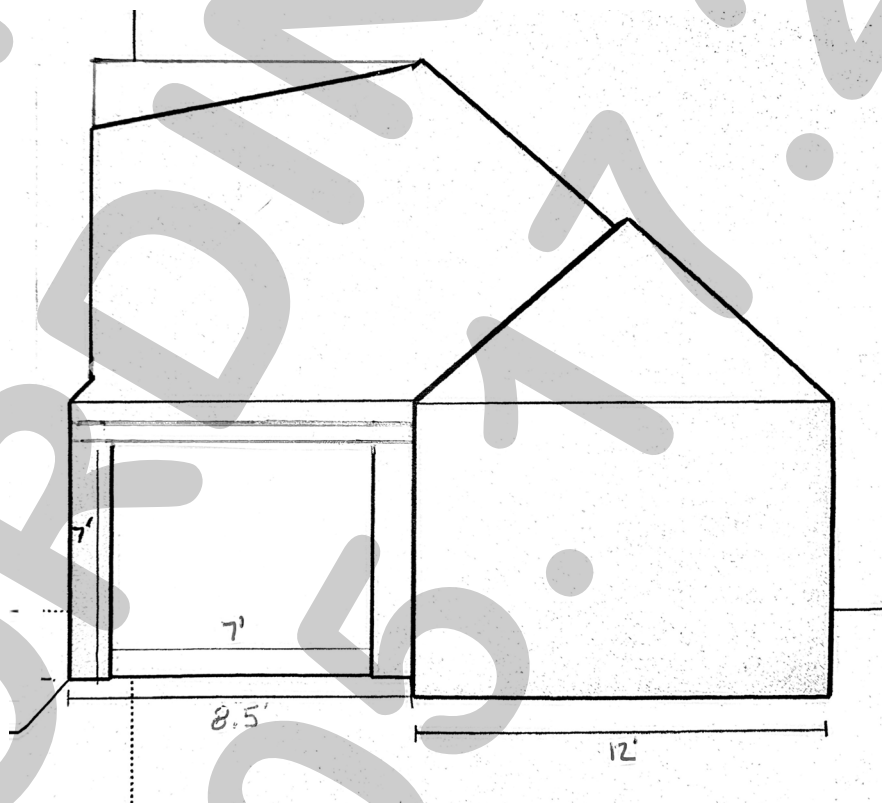
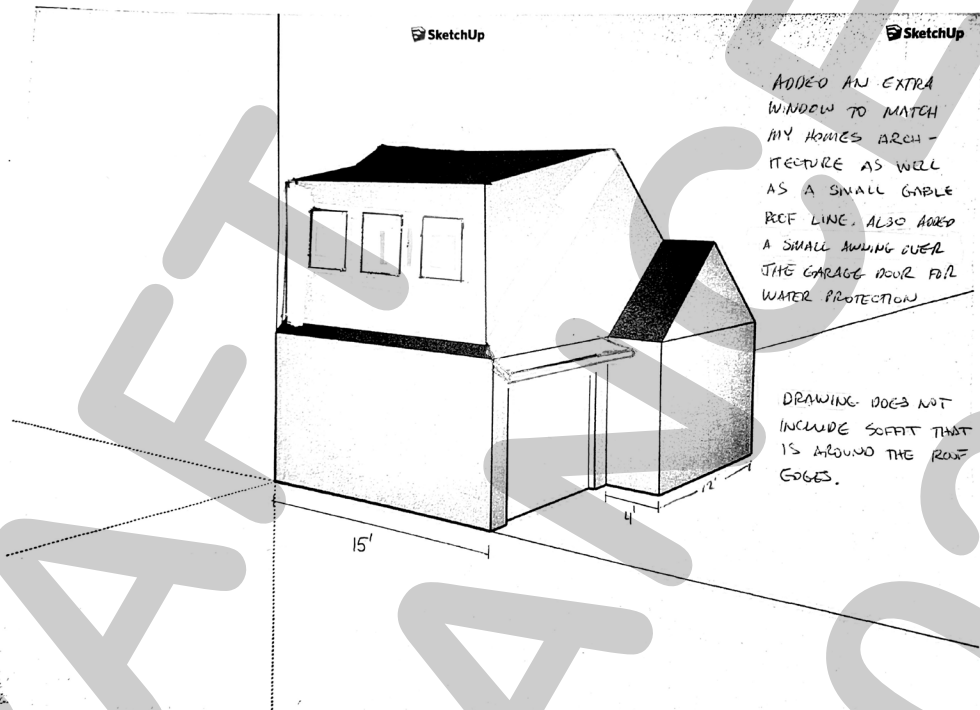
\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FORBEE EMAIL)



\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.

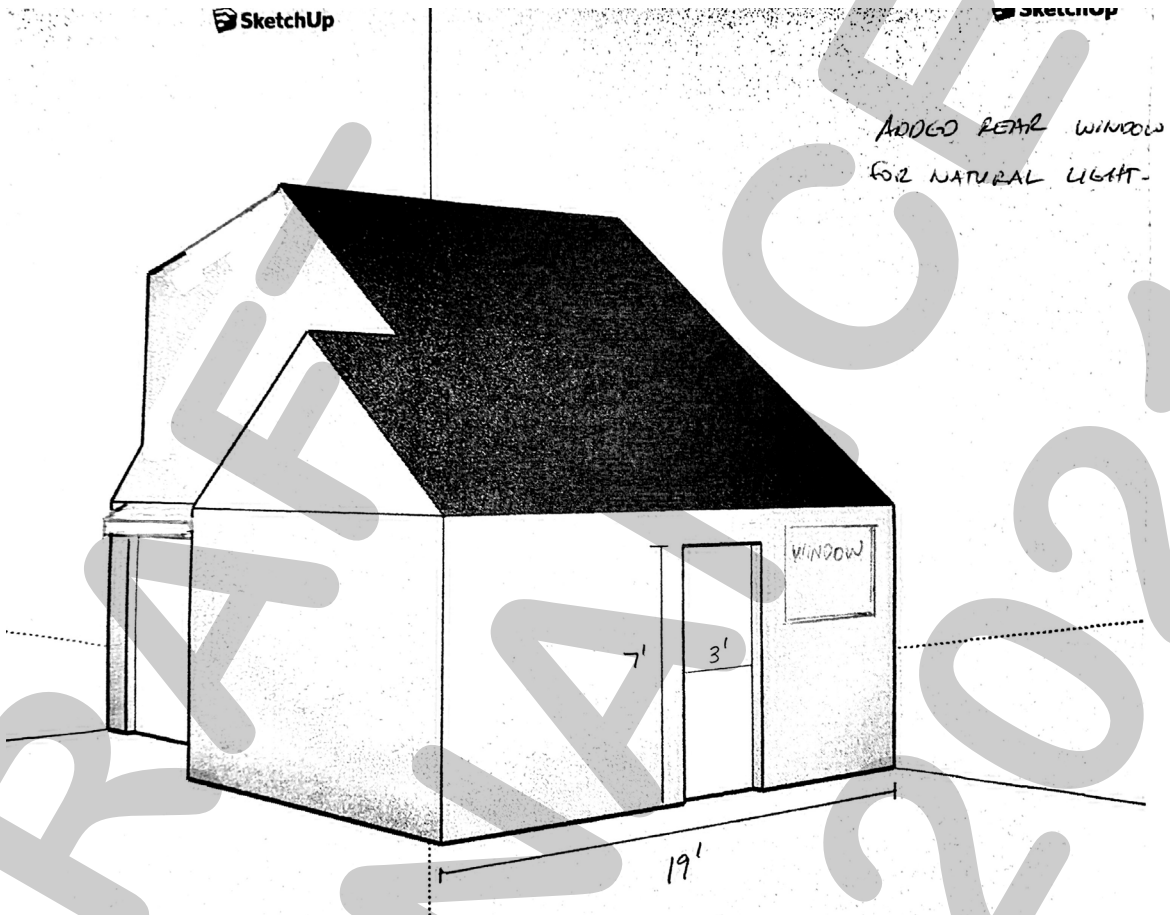


**Exhibit 'C':**  
**Conceptual Building Elevations**





**Exhibit 'C':**  
*Conceptual Building Elevations*







# CITY OF ROCKWALL

## CITY COUNCIL CASE MEMO

### PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

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**TO:** Mayor and City Council  
**DATE:** August 17, 2020  
**APPLICANT:** Mark Klecha  
**CASE NUMBER:** Z2020-030; *Specific Use Permit for an Accessory Building at 1748 Lake Breeze Drive*

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### SUMMARY

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an *accessory building that exceeds the maximum square footage* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

### BACKGROUND

The subject property was originally annexed into the City of Rockwall on February 6, 1961 by *Ordinance No. 61-02*. According to the City's historic zoning maps the subject property was zoned Multi-Family 1 (MF-1) District as of January 3, 1972. By May 16, 1983, this designation had changed to Planned Development District 11 (PD-11) [*Ordinance No. 80-13*] for Single-Family 2 (SF-2) District land uses. On June 7, 1993, *Ordinance No. 93-11* change the designation of the subject property within Planned Development District 11 (PD-11) to an area designated for Single-Family 10 (SF-10) District land uses [*Case No. PZ1993-020-01*]. The subject property was platted as Lot 6, Block O, Hillcrest Shores Addition on August 12, 1993 by *Case No. PZ1993-030-01*. According to the Rockwall Central Appraisal District (RCAD), situated on the subject property is a 2,649 SF single-family home that was constructed in 1995.

### PURPOSE

The property owner and applicant -- *Mark Klecha* -- is requesting the approval of a Specific Use Permit (SUP) to permit the construction of an accessory building that exceeds the maximum square footage permitted for accessory buildings as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC).

### ADJACENT LAND USES AND ACCESS

The subject property is addressed as 1748 Lake Breeze Drive. The land uses adjacent to the subject property are as follows:

North: Directly north of the subject property is an alleyway followed by the remainder of the Hillcrest Shores Subdivision, which consists of 67 single-family residential homes on 22.17-acres. Beyond this is Bayhill Drive, which is identified as a R2 (*i.e. residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown 2040 Vision Comprehensive Plan. North of this roadway is the Hillcrest Shores, Phase 2 Subdivision, which consists of 113 single-family residential homes on 53.24-acres. All of these properties are zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses.

South: Directly south of the subject property is Lake Breeze Drive, which is identified as a R2 (*i.e. residential, two [2] lane, roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. Beyond this is the remainder of the Hillcrest Shores Subdivision. South of this is the Northshore, Phase 2B Subdivision, which consists of 76 single-family residential homes on 25.04-acres. This subdivision is zoned Single-Family 10 (SF-10) District.



East: Directly east of the subject property is the remainder of the Hillcrest Shores Subdivision followed by N. Lakeshore Drive, which is identified as a M4D (*i.e. major collector, four [4] lane, divided roadway*) on the City's Master Thoroughfare Plan contained in the OURHometown Vision 2040 Comprehensive Plan. This area is zoned Planned Development District 11 (PD-11) for Single Family 10 (SF-10) District land uses. Beyond this is the Preserve, Phase 2 Subdivision, which consists of 82 single-family residential lots on 33.02-acres. This property is zoned Planned Development District 41 (PD-41) for Single-Family 10 (SF-10) District land uses.

West: Directly west of the subject property is the remainder of the Hillcrest Shores Subdivision, which is zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District. Beyond this is the *Lake Ray Hubbard Takeline* followed by the corporate limits of the City of Rockwall. Beyond this is Lake Ray Hubbard.

## **CHARACTERISTICS OF THE REQUEST**

The applicant has submitted an application, letter, and drawings requesting to permit a proposed 359 SF accessory building. Per the drawings provided by the applicant the accessory building will have a pitched roof with dormer windows, and stand a total of 15-feet in height. The exterior of the accessory building will be clad in a composite siding (*i.e. smart siding*), and the roof will be constructed with standing seam metal. The proposed building will be situated on the side of the property, adjacent to the western property line, behind an existing eight (8) foot board-on-board wood fence. In addition, the applicant has stated in the provided letter that there is a mature live oak tree situated in front of the fence further impairing the view of the structure.

## **CONFORMANCE WITH THE CITY'S CODES**

According to Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC), the Single-Family 10 (SF-10) District allows a total of two (2) accessory buildings each being 144 SF in size or one (1) accessory building at 144 SF in size and one (1) detached garage at 625 SF in size. In addition, accessory buildings are limited to a maximum height of 15-feet and a minimum setback of three (3) feet from the rear property line and six (6) feet from the side property line. In addition, accessory buildings are required to have a minimum of six (6) feet of separation from any other primary or accessory structure. This section of the code goes on to state, "(a)ccessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure ... [and] (a)ccessory buildings and structures not meeting the size requirements stipulated by this section shall require a Specific Use Permit (SUP)."

## **STAFF ANALYSIS**

In this case, the applicant's request conforms with the setback and height requirements for accessory buildings; however, the proposed size of the accessory building exceeds the maximum permissible size by 215 SF. Staff did perform a review of the aerial imagery of all of the homes in the Hillcrest Shores Subdivision (*i.e. the 67 single-family homes in the same phase as the subject property*) and determined that there does not appear to be any accessory buildings in this area of a similar size as to what the applicant is proposing. With this being said, there are covered patios and carports that appear to be of a similar size (*i.e. ~400 SF*). With regard to the letter submitted by the applicant, staff should note that a residential garage is clearly defined by Subsection 02.02(7) of Article 13, *Definitions*, of the Unified Development Code (UDC) as:

Residential Garage. A residential accessory building used for the storage of motor vehicles. These structures are typically attached to the primary structure; however, they may also be a detached structure.

In the applicant's case, the roll up garage door will face toward the primary structure, and be six (6) feet away from the western wall of the primary structure. This would not make it possible to pull a standard size vehicle into the structure. In addition, the structure is completely enclosed behind an eight (8) foot fence and the applicant is not providing a driveway to the structure (*which is characteristic of a detached garage*). Based on this staff was required to designate this structure as an accessory building, and not as a detached garage as the applicant has requested.

Staff should note that the structure will only be slightly visible from Lake Breeze Drive and that an existing tree and eight (8) foot fence will impair the view of the structure from right-of-way. With this being said, approval of a Specific Use Permit (SUP) request is a discretionary decision for the City Council pending a recommendation from the Planning and Zoning Commission.



## **NOTIFICATIONS**

On July 23, 2020, staff mailed 100 notices to property owners and occupants within 500-feet of the subject property. Staff also notified the Hillcrest at the Shores and the Preserve Homeowner's Associations (HOA's), which are the only HOA/Neighborhood Organizations that are within 1,500-feet of the subject property participating in the Neighborhood Notification Program. Additionally, staff posted a sign on the subject property, and advertised the public hearings in the Rockwall Herald Banner as required by the Unified Development Code (UDC). At the time this report was drafted staff had received four (4) notices in favor of the applicant's request and one (1) notice opposed to the applicant's request.

## **CONDITIONS OF APPROVAL**

If the Planning and Zoning Commission chooses to recommend approval of the applicant's request for a Specific Use Permit (SUP) for an accessory building that exceeds the maximum permissible size, then staff would propose the following conditions of approval:

- (1) The applicant shall be responsible for maintaining compliance with the operational conditions contained in the SUP ordinance and which are detailed as follows:
  - (a) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of the Specific Use Permit (SUP) ordinance; and
  - (b) The *Accessory Building* shall not exceed a maximum size of 360 SF; and
  - (c) The subject property shall not have more than one (1) accessory building.
- (2) The applicant will need to submit a letter from a structural engineer certifying that the recently built retaining wall was built to hold the weight of the proposed accessory structure, and that the retaining wall poses no structural risk to the existing three (3) foot retaining wall on the adjacent property; and
- (3) The applicant will need to apply for a building permit from the Building Inspections Department; and
- (4) Any construction resulting from the approval of this zoning change 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 11, 2020, the Planning and Zoning Commission approved a motion to recommend approval of the Specific Use Permit (SUP) with the conditions of approval by a vote of 4-2, with Commissioners Logan and Womble dissenting and Commissioner Welch absent.





# DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING

CASE NO. 22020-030

**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) <sup>1</sup>
- ☐ Preliminary Plat (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☐ Final Plat (\$300.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Replat (\$300.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Amending or Minor Plat (\$150.00)
- ☐ Plat Reinstatement Request (\$100.00)

### Site Plan Application Fees:

- ☐ Site Plan (\$250.00 + \$20.00 Acre) <sup>1</sup>
- ☐ Amended Site Plan/Elevations/Landscaping Plan (\$100.00)

### Zoning Application Fees:

- ☐ Zoning Change (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☒ Specific Use Permit (\$200.00 + \$15.00 Acre) <sup>1</sup>
- ☐ PD Development Plans (\$200.00 + \$15.00 Acre) <sup>1</sup>

### Other Application Fees:

- ☐ Tree Removal (\$75.00)
- ☐ Variance Request (\$100.00)

### 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.

## PROPERTY INFORMATION [PLEASE PRINT]

Address 1748 LAKE BREEZE DR. ROCKWALL, TX 75087

Subdivision HILLCREST SHORES Lot 6 Block 0

General Location

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

Current Zoning PD-11

Current Use RESIDENTIAL

Proposed Zoning PD-11

Proposed Use RESIDENTIAL

Acreage 0.23

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 MARK KLECHA

☐ Applicant

Contact Person

Contact Person

Address 1748 LAKE BREEZE DR.

Address

City, State & Zip ROCKWALL, TX 75087

City, State & Zip

Phone 402-315-8387

Phone

E-Mail markklecha@hotmail.com

E-Mail

## NOTARY VERIFICATION [REQUIRED]

Before me, the undersigned authority, on this day personally appeared MARK KLECHA [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 \$ 215.00, to cover the cost of this application, has been paid to the City of Rockwall on this the 16th day of July, 20 20. 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."

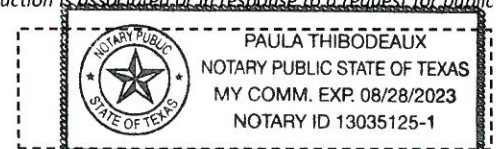
Given under my hand and seal of office on this the 16th day of July, 20 20.

Owner's Signature

Mark Klecha

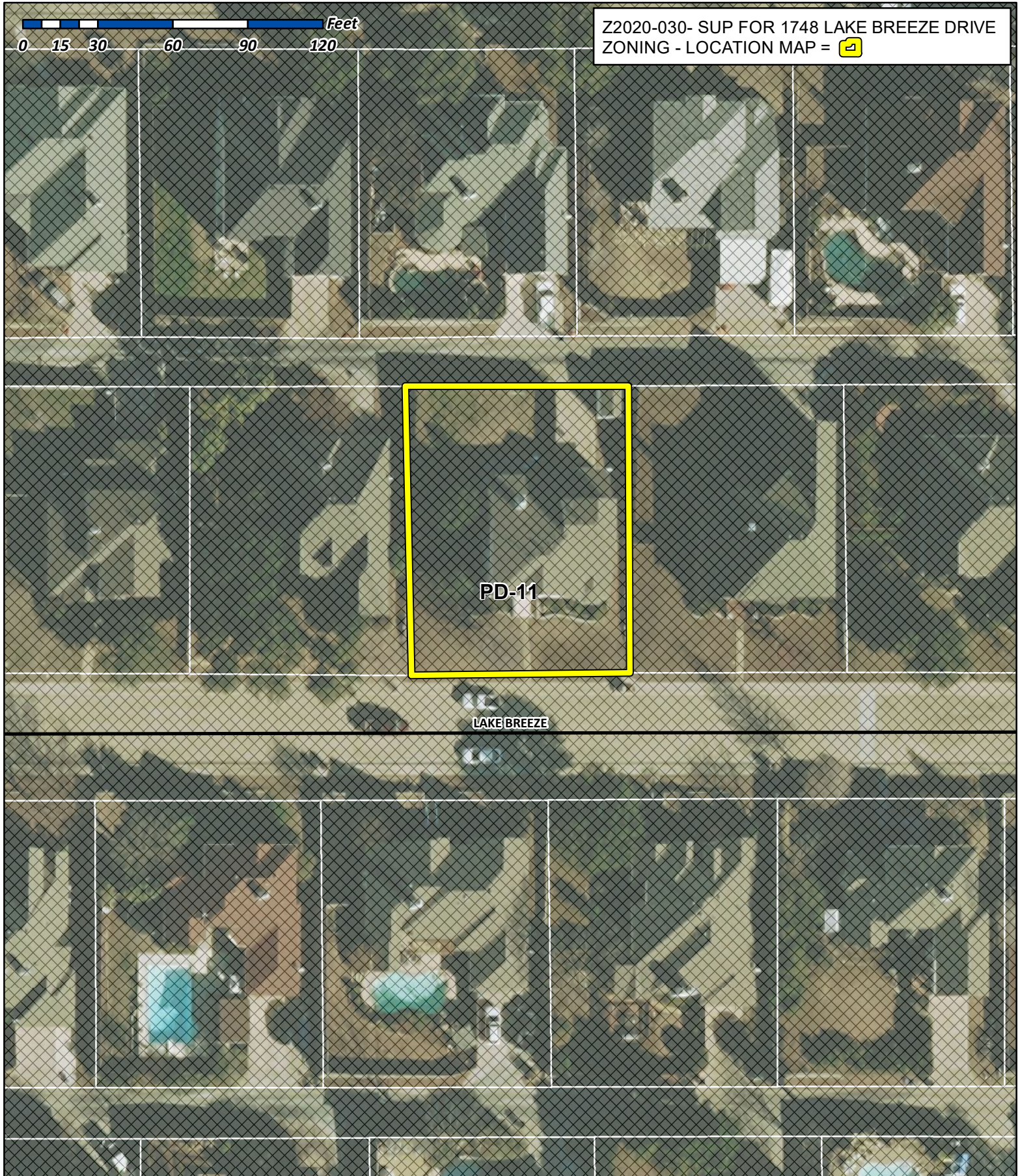
Notary Public in and for the State of Texas

Paula Thibodeaux



My Commission Expires





## City of Rockwall

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



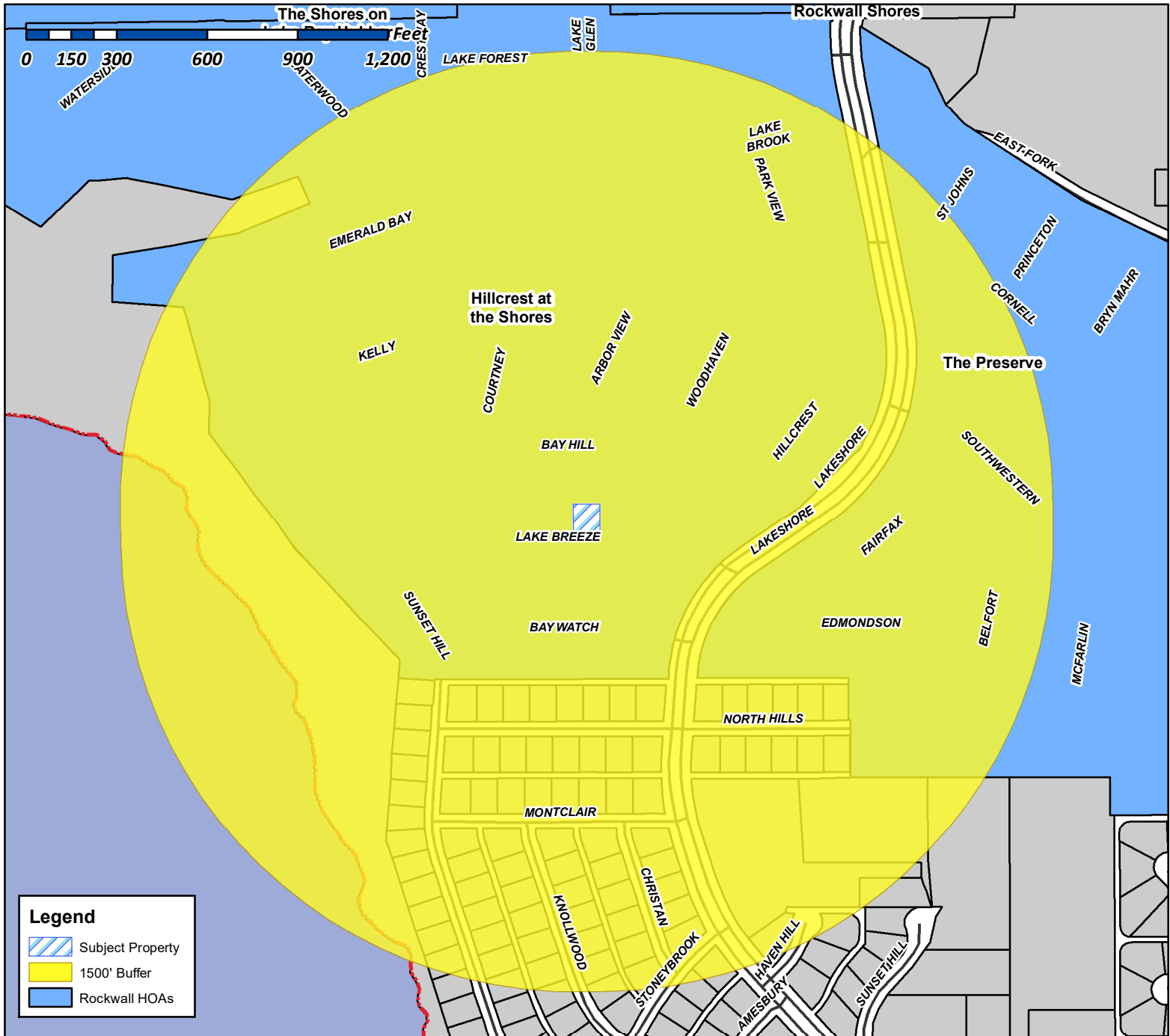




# City of Rockwall

Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
(W): www.rockwall.com

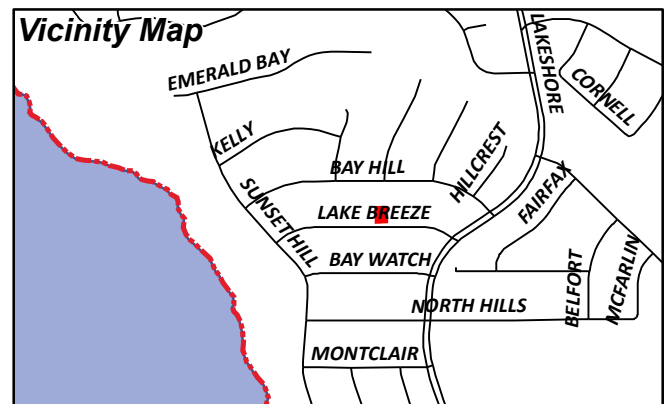
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**Case Number:** Z2020-030  
**Case Name:** SUP for 1748 Lake Breeze Drive  
**Case Type:** Specific Use Permit  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 7/17/2020

**For Questions on this Case Call** (972) 771-7745





**From:** [Gamez, Angelica](#)  
**Cc:** [Miller, Ryan](#); [Gonzales, David](#); [Henry Lee](#)  
**Subject:** Neighborhood Notification Program  
**Date:** Tuesday, July 21, 2020 10:14:35 AM  
**Attachments:** [HOA Map \(07.17.2020\).pdf](#)  
[Public Notice \(07.20.2020\).pdf](#)

---

HOA/Neighborhood Association Representative:

Per your participation in the Neighborhood Notification Program, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on Friday, July 31, 2020. The Planning and Zoning Commission will hold a public hearing on Tuesday, August 11, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 17, 2020 at 6:00 PM. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator

City of Rockwall

972.771.7745 Office

972.772.6438 Direct

<http://www.rockwall.com/planning/>





# City of Rockwall

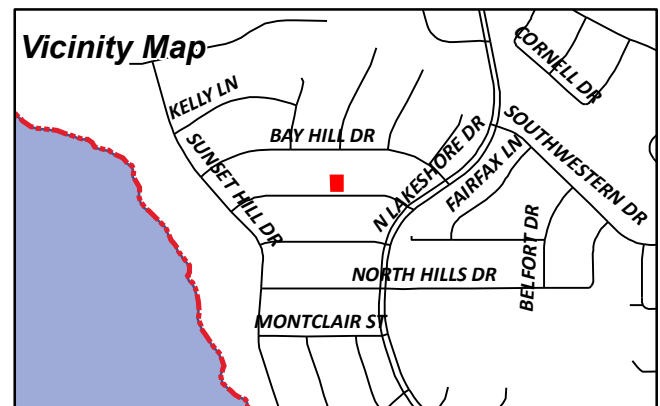
Planning & Zoning Department  
385 S. Goliad Street  
Rockwall, Texas 75087  
(P): (972) 771-7745  
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**Case Number:** Z2020-030  
**Case Name:** SUP for 1748 Lake Breeze Drive  
**Case Type:** Specific Use Permit  
**Zoning:** Planned Development District 11 (PD-11)  
**Case Address:** 1748 Lake Breeze Drive

**Date Created:** 7/22/2020  
**For Questions on this Case Call** (972) 771-7745





CURRENT RESIDENT  
1011 HILLCREST  
ROCKWALL, TX 75087

ANDERSON SALLY LESIL & STEVE  
1017 COURTNEY CIRCLE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1019 WOODHAVEN  
ROCKWALL, TX 75087

DORN KEITH  
1020 ARBOR VIEW PL  
ROCKWALL, TX 75087

SANDMAN DAVID & VALERIE  
1020 COURTNEY CIR  
ROCKWALL, TX 75087

HAUER MELVIN C & VIRGINIA L  
1020 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

LOGAN WINFRED BART & TRACEY  
1021 ARBOR VIEW PL  
ROCKWALL, TX 75087

MAURHOFF MARGARET L AND  
MICHAEL J VEREB  
1025 COURTNEY CIRCLE  
ROCKWALL, TX 75087

WEBER MATTHEW J AND THERESA M  
1027 ARBOR VIEW PL  
ROCKWALL, TX 75087

BEUSELING JOHN MARTIN & GLORIA LYNN  
1029 WOODHAVEN CIR  
ROCKWALL, TX 75087

BENAVIDES RAPHAEL G & MARY A  
1030 ARBOR VIEW PL  
ROCKWALL, TX 75087

MULLINAX STEVE WAYNE & DEBBIE S  
1030 COURTNEY CIR  
ROCKWALL, TX 75087

CORRIGAN DERRICK & STEFANIE  
1030 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

ABRAMSKY SAMUEL & CHRISTI  
1033 ARBOR VIEW PL  
ROCKWALL, TX 75087

FLEMING ERIC AND DEIDRE  
1033 COURTNEY CIR  
ROCKWALL, TX 75087

WARD PATRICK C  
1037 WOODHAVEN CIRCLE  
ROCKWALL, TX 75087

BEATY SUSAN J  
1038 COURTNEY CR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1039 ARBOR VIEW  
ROCKWALL, TX 75087

MAY RICHARD A & LISA A  
1040 ARBOR VIEW PL  
ROCKWALL, TX 75087

SMETANA JOSEPH JR & ANGEL P  
1046 COURTNEY CIR  
ROCKWALL, TX 75087

RESTER J TREVER & MICHELLE  
1047 ARBOR VIEW PL  
ROCKWALL, TX 75087

PETTIT PAUL & PAMELA  
1048 ARBOR VIEW PL  
ROCKWALL, TX 75087

WRIGHT LARRY G & JENNIFER  
1054 COURTNEY CIRCLE  
ROCKWALL, TX 75087

MATHIAS ERIC J & ROBIN A  
1514 MALLARD HVN  
SAN ANTONIO, TX 78260

SUCHAND HAROLD A AND SUSAN W  
1596 EDMONDSON TR  
ROCKWALL, TX 75087

JONES LALANII  
1597 EDMONDSON TRAIL  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1602 NORTH HILLS  
ROCKWALL, TX 75087

KLUTTS BEN A JR & JULIE C  
1604 N HILLS DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1604 NORTH HILLS  
ROCKWALL, TX 75087

WATSON MATTHEW W & JAMIE D  
1606 NORTH HILLS DRIVE  
ROCKWALL, TX 75087



CONNALLY DAVID & VICKIE  
1608 N HILLS DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1610 NORTH HILLS DRIVE  
ROCKWALL, TX 75087

BAUCHMAN NANCY  
16631 MALCOLM LN  
YORBA LINDA, CA 92886

JOHNSON CLARENCE R & CASANDRA L  
1704 BAY WATCH DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1704 LAKE BREEZE  
ROCKWALL, TX 75087

LYNCH CHRISTOPHER J  
1705 BAY WATCH DRIVE  
ROCKWALL, TX 75087

RYAN JEFFREY & DARLA  
1705 BAYHILL DR  
ROCKWALL, TX 75087

CONFIDENTIAL  
1707 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

PAULSEN LOGAN & BRANDI A  
1712 BAY WATCH DRIVE  
ROCKWALL, TX 75087

VAUGHN STEPHEN MICHAEL  
1712 LAKE BREEZE DR  
ROCKWALL, TX 75087

WHITAKER MARTIN & DORIS  
1715 BAY WATCH DR  
ROCKWALL, TX 75087

REPMAN MARK &  
MICHELLE BASTIDAS  
1715 BAYHILL DR  
ROCKWALL, TX 75087

SIMPSON RODNEY KEITH  
1717 LAKE BREEZE DR  
ROCKWALL, TX 75087

PEDDIE STACIE  
1720 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

KEETON KENNETH W & REBECCA  
1722 BAY WATCH DR  
ROCKWALL, TX 75087

HIETBRINK BERNARD D & MELISSA L  
1725 BAY WATCH DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1727 BAY HILL  
ROCKWALL, TX 75087

KETON JAMES H & JEANNETTE S  
1727 LAKE BREEZE DR  
ROCKWALL, TX 75087

HIGGINS BRADLEY STEPHEN AND  
AMANDA JO BURT HIGGINS  
1730 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1732 BAY WATCH  
ROCKWALL, TX 75087

WHALIN GREGORY L & TERRI B  
1733 BAY WATCH DR  
ROCKWALL, TX 75087

LOCKWOOD CHARLES DOUGLAS  
1737 BAYHILL DR  
ROCKWALL, TX 75087

BOWEN RONALD L & DEANNA K  
1737 LAKE BREEZE DR  
ROCKWALL, TX 75087

BYROM JOHNNY R & LYNETTE  
1738 LAKE BREEZE DR  
ROCKWALL, TX 75087

TUBBS LAJUAN C  
1740 BAY WATCH DR  
ROCKWALL, TX 75087

LANZONE FAMILY LIVING TRUST  
CHRIS A LANZONE AND DIANE M LANZONE-  
TRUSTEES  
1741 BAY WATCH DRIVE  
ROCKWALL, TX 75087

GEHRING CAROLYN S  
1745 LAKE BREEZE DR  
ROCKWALL, TX 75087

BRADLEY TAMMY JEAN  
1747 BAY HILL DR  
ROCKWALL, TX 75087

SISKA JAMES W & RITA F  
1748 BAY WATCH DR  
ROCKWALL, TX 75087

KLECHA MARK AND ANGELA  
1748 LAKE BREEZE DR  
ROCKWALL, TX 75087



AKARD ARTHUR F & DANA D  
1751 BAY WATCH DR  
ROCKWALL, TX 75087

THOMPSON RONALD G & CAROLYN E  
1755 BAYHILL DR  
ROCKWALL, TX 75087

BARKER MARK A  
1755 LAKE BREEZE DR  
ROCKWALL, TX 75087

BOONE WILLIAM R JR & KYOKO N  
1756 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1758 BAY WATCH  
ROCKWALL, TX 75087

WITTIG MILTON G & CYNTHIA J  
1759 BAY WATCH DR  
ROCKWALL, TX 75087

LOWNDES ROBERT  
1763 BAYHILL DR  
ROCKWALL, TX 75087

LONDON REV TR  
1763 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1764 LAKE BREEZE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1766 BAY WATCH  
ROCKWALL, TX 75087

JACOBSON BRUCE ALLEN & MARGARET  
1769 BAY WATCH DR  
ROCKWALL, TX 75087

SMITH JAMES & JULIE  
1773 BAYHILL DR  
ROCKWALL, TX 75087

MEYN RICHARD B & CATHERINE  
MEYN FAMILY TRUST  
1773 LAKE BREEZE DR  
ROCKWALL, TX 75087

HAMILTON DOUGLAS C & JANET K  
1774 BAY WATCH DR  
ROCKWALL, TX 75087

GUZMAN PATRICIA MARGARITA & THANH  
NGUYEN HOANG  
1774 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

MOORE KERMIT T & GWENDOLYN R  
1781 BAYHILL DR  
ROCKWALL, TX 75087

PERALES LIVING TRUST  
1781 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

HOLCOMB RICHARD & KATHY  
1782 LAKE BREEZE DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1790 LAKE BREEZE  
ROCKWALL, TX 75087

BARBER TRUMAN JOSEPH & BARBARA  
1791 BAYHILL DR  
ROCKWALL, TX 75087

KING DOROTHY  
1793 LAKE BREEZE DRIVE  
ROCKWALL, TX 75087

DAVENPORT JAMES & MARYBETH  
1798 LAKE BREEZE DR  
ROCKWALL, TX 75087

VESTAL JEANETTE & ALSON  
1799 BAYHILL DR  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1803 LAKE BREEZE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1807 BAY HILL  
ROCKWALL, TX 75087

DAVIS JIMMY GOLAN AND TATIANA  
KAPOUSTINA-DAVIS  
1817 BAYHILL DRIVE  
ROCKWALL, TX 75087

CURRENT RESIDENT  
1822 BAY HILL  
ROCKWALL, TX 75087

KHABAZ ALLEN BLEEDO  
1827 BAYHILL DR  
ROCKWALL, TX 75087

REED LARRY K  
18333 ROE HAMPTON #323  
DALLAS, TX 75252

LAZY DALE PARTNERS LP  
202 N SAN JACINTO ST  
ROCKWALL, TX 75087



AMERICAN HOMES 4 RENT PROPERTIES TWO  
LLC  
30601 AGOURA ROAD SUITE 200  
AGOURA HILLS, CA 91301

CUTLER ELDON GEORGE & THALIA LONE  
40161 E 179TH STREET  
KINGSVILLE, MO 64061

VILLARREAL GLORIA M & JOSE C  
4914 W 106TH ST  
OAK LAWN, IL 60453

OH SINEUI  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

MATSUMOTO SHINTARO  
C/O OPEN HOUSE CO. LTD  
5050 QUORUM DRIVE SUITE 610  
DALLAS, TX 75254

OPEN HOUSE TEXAS REALTY & INVESTMENTS  
LLC  
5050 QUORUM DRIVE SUITE 120  
DALLAS, TX 75254

CRETI DANIEL AND MARTHA TRUST  
550 S SILVERADO WAY  
ANAHEIM, CA 92807

WILLIS RUTH HAYNES  
6168 PRESTONDELL DR  
DALLAS, TX 75240

BREEN ROBERT AND LAURA  
661 JUSTIN RD  
ROCKWALL, TX 75087

TOM MANLEY PROPERTIES INC  
915 SUNSET HILL DRIVE  
ROCKWALL, TX 75087



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

Property Owner and/or Resident of the City of Rockwall:

You are hereby notified that the City of Rockwall Planning and Zoning Commission and City Council will consider the following application:

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

*Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a Specific Use Permit (SUP) for an accessory building that exceeds the maximum square footage on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.*

For the purpose of considering the effects of such a request, the Planning and Zoning Commission will hold a public hearing on Tuesday, August 11, 2020 at 6:00 PM, and the City Council will hold a public hearing on Monday, August 17, 2020 at 6:00 PM. These hearings will be held in the City Council Chambers at City Hall, 385 S. Goliad Street.

As an interested property owner, you are invited to attend these meetings. If you prefer to express your thoughts in writing please return the form to:

**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

You may also email your comments to the Planning Department at [planning@rockwall.com](mailto:planning@rockwall.com). If you choose to email the Planning Department please include your name and address for identification purposes.

Your comments must be received by Monday, August 17, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

----- PLEASE RETURN THE BELOW FORM -----

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

**Please place a check mark on the appropriate line below:**

- ☐ I am in favor of the request for the reasons listed below.
- ☐ I am opposed to the request for the reasons listed below.

Name:

Address:

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

[PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE](#)



# Zoning & Specific Use Permit Input Form

## Case Number \*

Please provide the Case Reference Number of the Zoning or Specific Use Permit (SUP) request that you are providing input on (Example: Z2019-001).

Z2020\_030

Please place a check mark on the appropriate line below: \*



I am in favor of the request.



I am in opposition to the request.

Please provide any additional information concerning your support or opposition to the request.

It does not cause any problems in our neighborhood.

## Respondent Information

Please provide your information.

## First Name \*

William and Kyoko

## Last Name \*

Boone



Address \*

1756 Lake Breeze Dr

City \*

Rockwall

State \*

TX

Zip Code \*

75087

Email Address \*

wrboone@hotmail.com

Phone Number

214-641-2988



Please check all that apply: \*



I live nearby the proposed Zoning or Specific Use Permit (SUP) request.



I work nearby the proposed Zoning or Specific Use Permit (SUP) request.



I own property nearby the proposed Zoning or Specific Use Permit (SUP) request.



I own a business nearby the proposed Zoning or Specific Use Permit (SUP) request.



Other: .....

How did you hear about this Zoning or Specific Use Permit (SUP) request? \*



I received a property owner notification in the mail.



I read about the request on the City's website.



I saw a zoning sign on the property.



I read about the request in the Rockwall Herald Banner.



My neighbors told me about the request.



Other: .....

This content is neither created nor endorsed by Google.

Google Forms



Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Please place a check mark on the appropriate line below:

☐ I am in favor of the request for the reasons listed below.

☒ I am opposed to the request for the reasons listed below.

See attached explanation of Request to deny.

Name:

ARTHUR AKEND

Address:

1751 Bay Watch, Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE




To: Mr. Ryan Miller  
Rockwall Planning and Zoning Dept.  
385 South Goliad Street  
Rockwall, Texas 75087

From Arthur Akard  
1751 Bay Watch Drive  
Rockwall, Texas 75087

Ref: Case No, Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

I would like to register my opposition to the zoning variance request for an accessory building at 1748 Lake Breeze Drive, Rockwall, Texas 75087. Such a structure would be visible from the street as well as from the neighboring houses and it would detract from the overall appearances of the neighborhood. Additionally, it could very well block views of Lake Ray Hubbard for many of the surrounding house which people paid a premium to live in this neighborhood for. But most concerning it it would cause a decrease in the value of the surrounding houses due to negative aesthetic impact on the neighborhood. This in turn would mean reduced revenue for the county and school district via property taxes. Please deny the request.

If you have any questions or need clarification on my position, please feel free to mail me at the above address.



Arthur Akard



# PUBLIC NOTICE



CITY OF ROCKWALL  
PLANNING AND ZONING DEPARTMENT  
PHONE: (972) 771-7745  
EMAIL: [PLANNING@ROCKWALL.COM](mailto:PLANNING@ROCKWALL.COM)

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**Ryan Miller**  
Rockwall Planning and Zoning Dept.  
385 S. Goliad Street  
Rockwall, TX 75087

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Your comments must be received by Monday, August 17, 2020 at 4:00 PM to ensure they are included in the information provided to the City Council.

Sincerely,

**Ryan Miller, AICP**  
Director of Planning & Zoning

USE THIS QR CODE  
TO GO DIRECTLY  
TO THE WEBSITE



MORE INFORMATION ON THIS CASE CAN BE FOUND AT: <https://sites.google.com/site/rockwallplanning/development/development-cases>

--- PLEASE RETURN THE BELOW FORM ---

**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

Please place a check mark on the appropriate line below:

- ☒ I am in favor of the request for the reasons listed below.  
☐ I am opposed to the request for the reasons listed below.

Mr. Klecha has done a considerable amount of research and invested money to have a successful project that will look good and enhance his property. I am in favor of approving this request!

Name: Doug Hamilton  
Address: 1774 Bay Watch Dr. Rockwall, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



**Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive**

**Please place a check mark on the appropriate line below:**

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

So long as the construction meets safety & industry standards, the property should be authorized for an Accessory Building. It's their property and they should have the right to develop or build on the land.

Name:

ROBIN & ERIC MATHIAS

Address:

1011 HILLCREST GR, ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



Case No. Z2020-030: SUP for an Accessory Building at 1748 Lake Breeze Drive

Please place a check mark on the appropriate line below:

☒ I am in favor of the request for the reasons listed below.

☐ I am opposed to the request for the reasons listed below.

A new cedar fence has been installed at the rear of the property, so the new structure will not be very visible from the front street or rear alley way.

Name:

TRUMAN JOSEPH BARBER

Address:

1791 BAYHILL DR. ROCKWALL, TX 75087

Tex. Loc. Gov. Code, Sec. 211.006 (d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either: (1) the area of the lots or land covered by the proposed change; or (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.

PLEASE SEE LOCATION MAP OF SUBJECT PROPERTY ON THE BACK OF THIS NOTICE



Mark Klecha  
1748 Lake Breeze Drive  
Rockwall, TX 75087

To the Committee Board,

Thank You for taking the time to consider my special use permit application. I wanted to write to the board to explain my situation in hopes that it will answer any questions you may have on my project.

A quick background on what I am trying to do. I have been completing multiple home improvement projects around my home while I have the down time with the current pandemic situation; a new fence and an added driveway to be exact. During a pre-pour concrete inspection, I asked the Rockwall City Inspector to take a look at a potential location in my yard for a detached garage/workshop to get his inputs on what the requirements would be to build it. Because my yard has a drastic slope to it, he said this location would require an addition of a retaining wall and a concrete slab. He explained the property line set backs and how far the structure would need to be from our home. As well as all the precautions for underground water, sewer, gas and electric, which I had the city come out and inspect before I began the project. The inspector also showed me where to find additional information for specific permit requirements on the Rockwall website, which is what I have used as a template to start my project.

Armed with this knowledge I pulled permits for the retaining wall and concrete slab, all of which were approved by the city. That work is now complete and can be seen in the attached photos. I am finishing up the stone veneer around my concrete retaining wall and plan to have the final inspection done upon completion of the stonework. The concrete slab is also complete and has been finalized by the city. I have been fully transparent about my intentions to build this structure and have asked many questions along the way to ensure I was doing it according to city requirements. It wasn't until now that anyone mentioned the square footage limitations I was going to run into.

Fast forward to now. I applied for the permit to begin building the structure and this is where things took a surprise turn for my project. This is technically a detached garage, which affords me up to a 625 sq/ft structure per the city permit requirements. However, I was told in order to permit it as a detached garage, I would need a 12' wide driveway poured to the garage door (which is not mentioned anywhere on the "City of Rockwall Permit Requirements for Residential Portable, Accessory Buildings, Detached Garages and Carports" page). Due to the location of the structure on my property (see attached site plot), it would not be feasible or aesthetically pleasing to pour that much concrete through my backyard. So because of that one requirement, I must permit this



structure as an accessory building, which now forces me to limit the size of the building to 144 sq/ft. My structure will be approximately 360 sq/ft (see attached plan drawings). So I find myself in a sort of play on words where one allows me to build the structure while also requiring a lot of concrete and the other limits the square footage of the structure. This is why my application is in front of you today. If I wanted to pour a driveway through my backyard, I could technically get a detached garage permit and be able to build the structure without a special use permit. However, that would be cost prohibitive and quite frankly, not at all appealing for my back yard. I would think we can all agree on that?

Having said all of that, please allow me to explain how this structure will be an improvement to my property and all of the precautions I have taken to ensure my neighbors and the location of the structure have been taken into account. I have spoken to my neighbor on that side of my property about my plans and what I am doing. They fully support it and are even willing to sign a letter, if needed, to help this process along. My property also has two large oak trees located in front of and behind where this structure will be built (see attached photos) and they will block the majority of the structure from both the street and alley view. I also have a brand new 8' fence to block it from view as much as it can. I designed the structure to tie in with the architectural elements of our home so that it will not be an eyesore to the neighborhood.

I am asking for your consideration and approval of this permit. I began this project based on the information given to me by the Rockwall City Inspector and the information presented on the Rockwall website for permit requirements. I made large financial decisions based on that information and now find myself in this conundrum of what appears to be, in my opinion, a technicality on words vaguely defining what a structure is and the subsequent surrounding requirements that aren't completely defined on the permit requirements page (i.e. detached garage vs accessory building). At this point I have invested over \$7,000 dollars to build the retaining wall and the concrete slab for this structure. To be denied this special use permit at this point would be very unfortunate and put me in a tough situation.

I am hopeful that you will see my due diligence in using the city professionals and resources prior to beginning this project. I am asking for your help to see this project to its completion.

Again, Thank You for your time and consideration on this matter. If you have any questions or need more information, please contact me at (402) 315-8387 or markklecha@hotmail.com.

Warm Regards,

A handwritten signature in black ink, appearing to read "Mark Klecha". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.



# CITY OF ROCKWALL

## PERMIT REQUIREMENTS FOR RESIDENTIAL PORTABLE, ACCESSORY BUILDINGS, DETACHED GARAGES & CARPORTS.

A permit is required to erect portable or accessory buildings, detached garages and carports. Requirements are as follows:

1. Permit application
2. Site plan or property Survey – showing the location, size of the building (length, width, height), and the setbacks (distance) from the property line(s) and other structures on the property.
3. Buildings with concrete slabs will require two inspections & should not be located over a gas line. Buildings with electrical, Plumbing or mechanical need to be inspected before covered, such as with sheet-rock.
4. The permit fee is based on the square footage .

### SUBSECTION 7.04: ACCESSORY STRUCTURE DEVELOPMENT STANDARDS

Accessory Structure Development Standards		Accessory Structures & Accessory Buildings <sup>1 &amp; 3</sup>					Portable Accessory Building 0 SF – 120 SF <sup>8</sup>	Detached Garage <sup>8 &amp; 9</sup>	Carports <sup>7 &amp; 8</sup>
		Single Family Estate 1.5 (SFE-1.5) District	Single Family Estate 2.0 (SFE-2.0) District	Single Family Estate 4.0 (SFE-4.0) District	All Other Single Family Zoning Districts (i.e. SF-7, SF-8.4, SF-10, SF-16 &	Two Family (2F) District			
Zoning Districts or Accessory Structure Type □									
Development Standards □									
Number of Accessory Structures or Number of Specific Accessory Structure		2 <sup>2</sup>	2 <sup>2</sup>	2 <sup>2</sup>	2	1	1	1	1
Maximum SF of Accessory Structure <sup>5</sup>		1,000 <sup>2</sup>	1,000 <sup>2</sup>	1250 <sup>2</sup>	144 <sup>6</sup>	100	120	625	500
Minimum Setbacks	Rear (Feet)	10	10	10	3	3	3	10	10
	Rear w/ Alleyway (Feet)	20 <sup>4</sup>	20 <sup>4</sup>	20 <sup>4</sup>	3	3	3	20 <sup>5</sup>	20
	Side (Feet)	See Zoning District	See Zoning District	See Zoning District	See Zoning District	3	3	See Zoning District	See Zoning District
Between Buildings (Feet)		10	10	10	6	3	3	10	10
Building Height (Feet)		15	15	15	15	10	10	15	15

### ADDITIONAL REQUIREMENTS:

- ★ 1: Accessory buildings and accessory structures shall be accessory to a residential use and located on the same lot. Unless stipulated above, only two (2) accessory structures are permitted per single-family lot; excluding carports that are integrated into the main accessory structure.
- 2: If more than one (1) accessory building is proposed or if an accessory building, 625 SF or less, is existing then the maximum accessory building that can be constructed is 400 SF. If there is an existing accessory building greater than 625 SF no additional accessory buildings or structures are permitted.
- ★ 3: Accessory buildings and structures shall be architecturally compatible with the primary structure, and be situated behind the front façade of the primary structure.
- ★ 4: If the accessory building does not have garage doors facing the alleyway the setback is the same as the base zoning district.
- ★ 5: Accessory buildings and structures not meeting the size requirements stipulated by the section shall require a Specific Use Permit (SUP).
- ★ 6: Each property shall be permitted one (1) detached garage up to 625 SF and one (1) accessory building up to 144 SF.
- 7: In residential districts, carports must be open on at least two (2) sides, architecturally integrated into the primary structure, and be located 20-feet behind the corner of the front façade and meet the garage setback adjacent to an alley. Porte-cocheres are not considered carports, and are allowed, if they are attached and integral with the design of the house.
- ★ 8: Two (2) story accessory buildings or structures shall be prohibited.
- ★ 9: Shall include a minimum of one (1) garage bay door large enough to pull a standard size motor vehicle through.

★ NO MENTION OF REQUIRED 12 FOOT DRIVEWAY TO QUALIFY AS A "DETACHED GARAGE"

★ NOTE 5 IS SORT OF HIDDEN AND NOTE 6 MAKES IT APPEAR THAT I WAS MEETING THE INTENT WITH MY STRUCTURE.



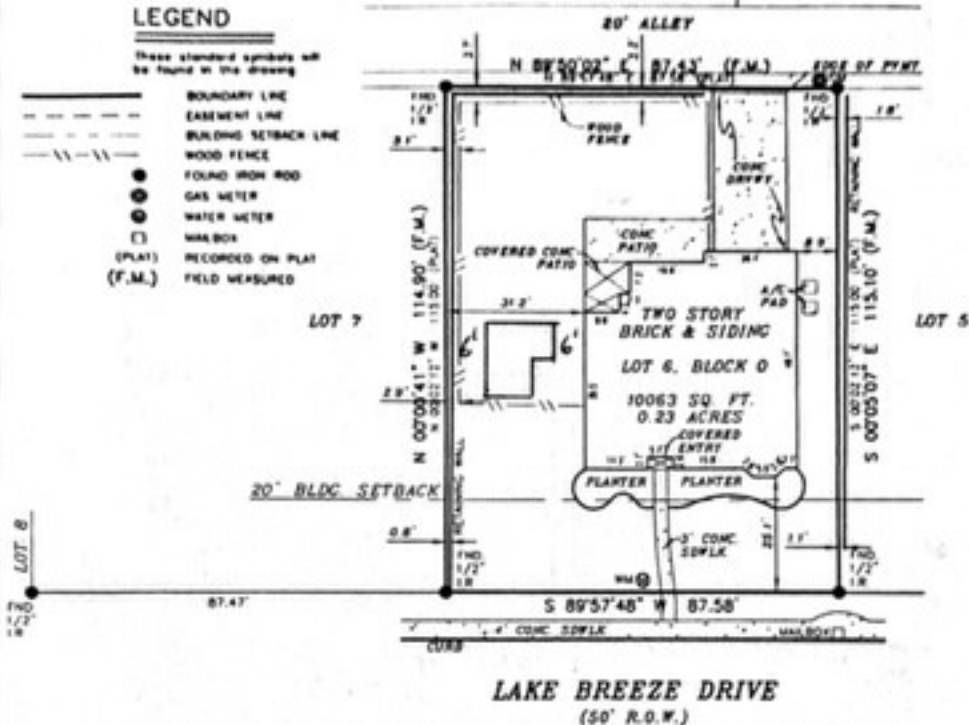
LOT 84

LOT 85

## LEGEND

These standard symbols will be found in the drawing

- BOUNDARY LINE  
 --- EASEMENT LINE  
 --- BUILDING SETBACK LINE  
 --- WOOD FENCE  
 ● FOUND IRON ROD  
 ● GAS METER  
 ● WATER METER  
 □ MANHOLE  
 (PLAT) RECORDED ON PLAT  
 (F.M.) FIELD MEASURED



LAKE BREEZE DRIVE  
 (50' R.O.W.)

**LEGAL DESCRIPTION**  
 BEING LOT 6, BLOCK 0 OF HILLCREST SHORES,  
 AN ADDITION TO THE CITY OF ROCKWALL, ROCKWALL COUNTY,  
 TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN  
 CACKET C. SLIDE 199, PLAT RECORDS, ROCKWALL COUNTY,  
 TEXAS.

**FLOOD INSURANCE NOTE:** By graphic showing only,  
 this property is in ZONE 1 of the  
 Flood Insurance Rate Map, Community Panel No.  
18297C 0030-1, effective date of SEPTEMBER 26, 2008  
 (exact designations can only be determined by a  
 levation Certificate. Based on the above information,  
 this property is NOT in a Special Flood Hazard Area.

**SURVEYOR'S NOTE:**  
 SALES OF SEPARATE RECORDS  
 PLAT UNLESS OTHERWISE NOTED

GRAPHIC SCALE



I, **ROY JOHN RONNFELDT**, a Registered Professional Land Surveyor in the State of Texas,  
 do hereby certify to HESTER-FAIR-TITLE COMPANY  
 and

that the above map is true and correct according to an actual field survey, made by me on the ground or  
 under my supervision, of the property shown hereon or described by field notes accompanying this drawing. I further  
 certify that all easements and rights-of-way of which I have been advised are shown hereon and that, except  
 as shown, there are no visible encroachments, no visible overlapping of improvements and no apparent  
 discrepancies or conflicts in the boundary lines, and no visible physical evidence of easements or rights-of-way  
 as of the date of the field survey. I further certify that this survey meets or exceeds the  
 minimum standards established by the Texas Board of Professional Land Surveying (Section 663.182)  
 Lot(s) 6, Block 0, N.C.B. ---, Survey No. ---, Abstract No. ---  
 Survey or Subdivision HILLCREST SHORES, AN ADDITION TO THE CITY OF ROCKWALL  
 Cabinet C, Sheet(s) 122-222 of the Map/Deed and Plat Records of ROCKWALL County, Texas  
 Borrower/Owner CHARLES M. HUSTON AND KENDALL HUSTON  
 Address: 1748 LAKE BREEZE DRIVE of No. FALTBERRIS

SUBJECT TO RESTRICTIVE COVENANTS AND/OR EASEMENTS RECORDED IN  
 VOLUME 941, PAGE 178, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS  
 VOLUME 1121, PAGE 25, REAL ESTATE RECORDS, ROCKWALL COUNTY, TEXAS

PROPERTY PHOTOGRAPH



## FINAL "AS-BUILT" SURVEY

JOB NO.	1105008387	NO.	REVISION	DATE
DATE:	03/27/11			
DRAWN BY:	ML/TM			
APPROVED BY:	RJR			



*Roy John Ronnfeldt*  
 ROY JOHN RONNFELDT, R.P.L.S.  
 Registered Professional Land Surveyor  
 Registration No. 3520

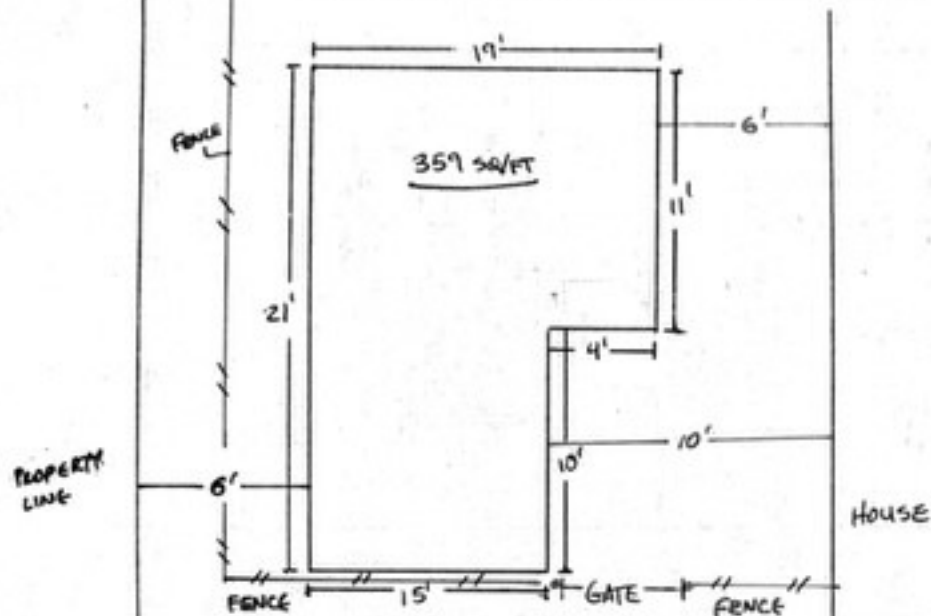


**AMERISURVEYORS, LLC**  
 10751 Woodland Road - San Antonio, Texas 78249  
 Phone: (214) 477-9999 FAX: (214) 477-9999

7-14-11

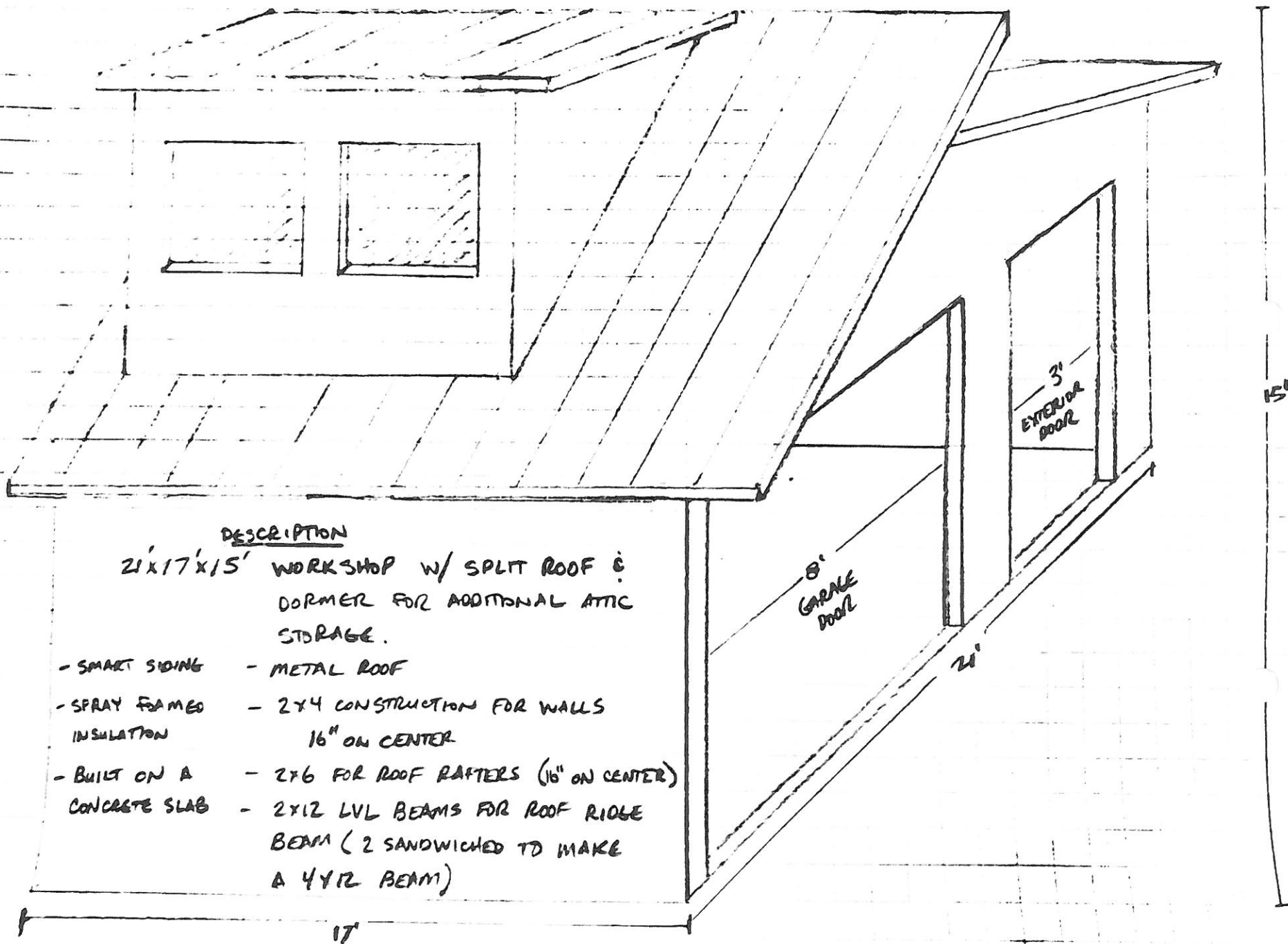


\* 6' SET-BACK ON PROPERTY LINE AND NEWLY ESTABLISHED SET-BACK FOR THE HOUSE - WHICH IS 6' INSTEAD OF 10' (SEE CRAIG FORBES EMAIL)

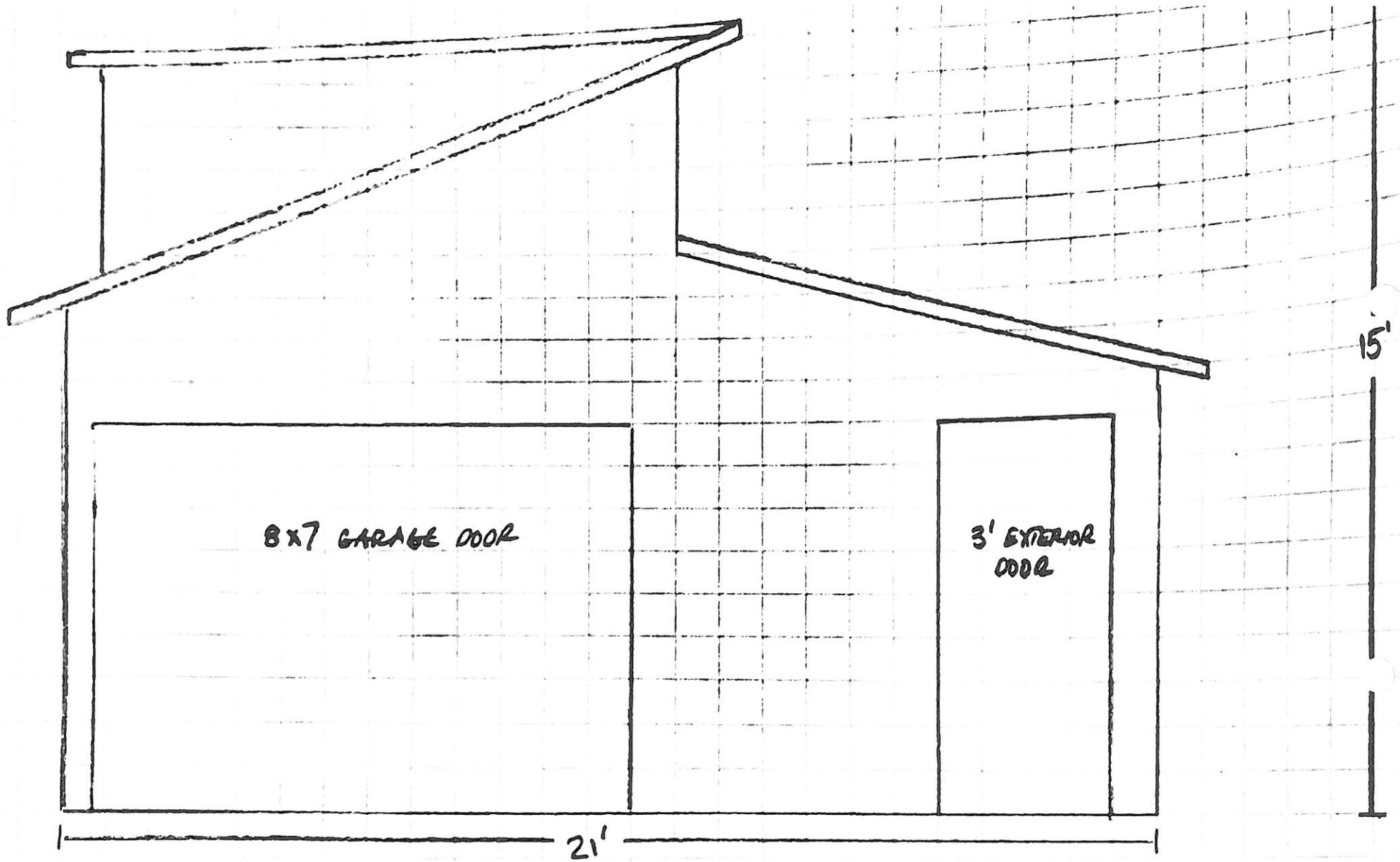


\* HAD TO CHANGE THE BUILDING SHAPE DUE TO THE GATE LOCATION.











PROPERTY LINE

RETAINING WALL

3' SET  
BACK

FENCE

NOTES:

- CONCRETE SLAB
- WORKSHOP WILL BE 3' FROM PROPERTY LINE &  
OVER 10' FROM MY HOUSE.
- 357' SQUARE FEET

FENCE

17'

21'

10' SET  
BACK  
FROM  
HOME



\* STRUCTURE WILL BE MOSTLY COVERED  
WITH FENCE AND OAK TREES FROM THE  
FRONT AND BACK









CITY OF ROCKWALL

ORDINANCE NO. 20-XX

SPECIFIC USE PERMIT NO. S-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN EXHIBIT 'A' OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an Accessory Building that exceeds the maximum allowable size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [Ordinance No. 20-02] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [Ordinance No. 20-02] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-02] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth



in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [Ordinance No. 20-20] -- as heretofore amended and as may be amended in the future --, and with the following conditions:

## **2.1. OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 360 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## **2.2. COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.



PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.

\_\_\_\_\_  
Jim Pruitt, *Mayor*

**ATTEST:**

\_\_\_\_\_  
Kristy Cole, *City Secretary*

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Frank J. Garza, *City Attorney*

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020



**Exhibit 'A'**  
**Zoning Exhibit**

Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition





Exhibit 'B':  
Site Plan

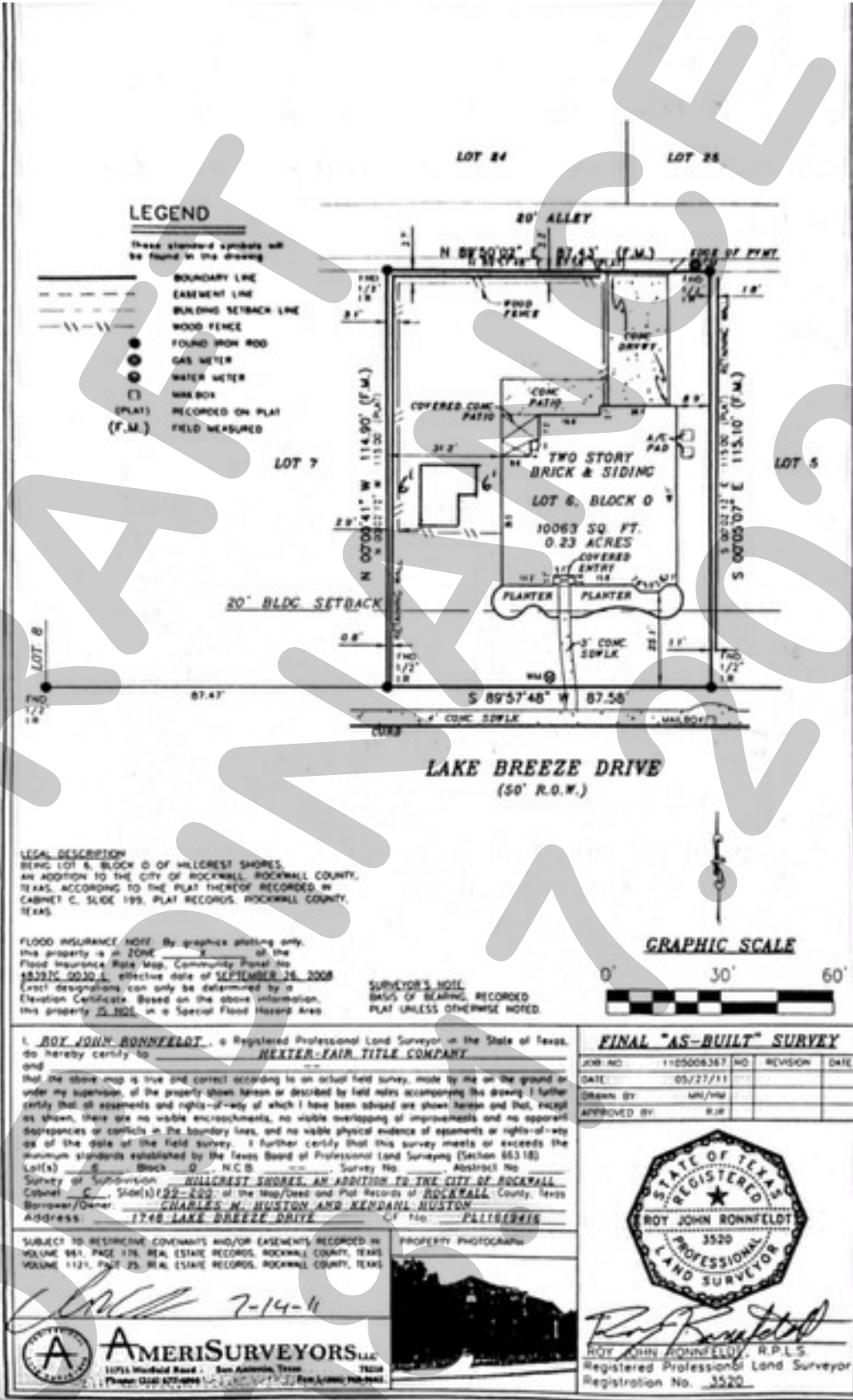
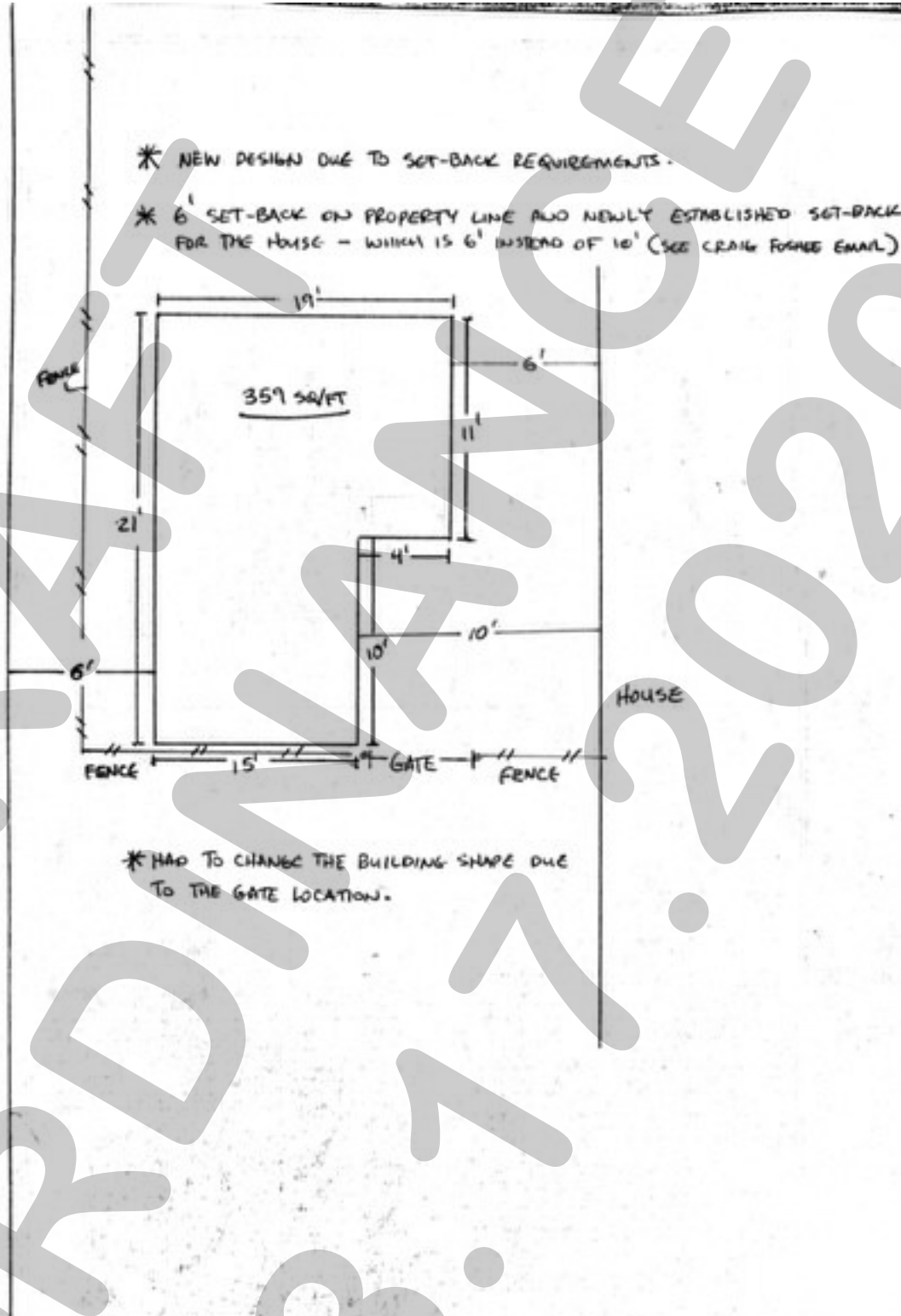


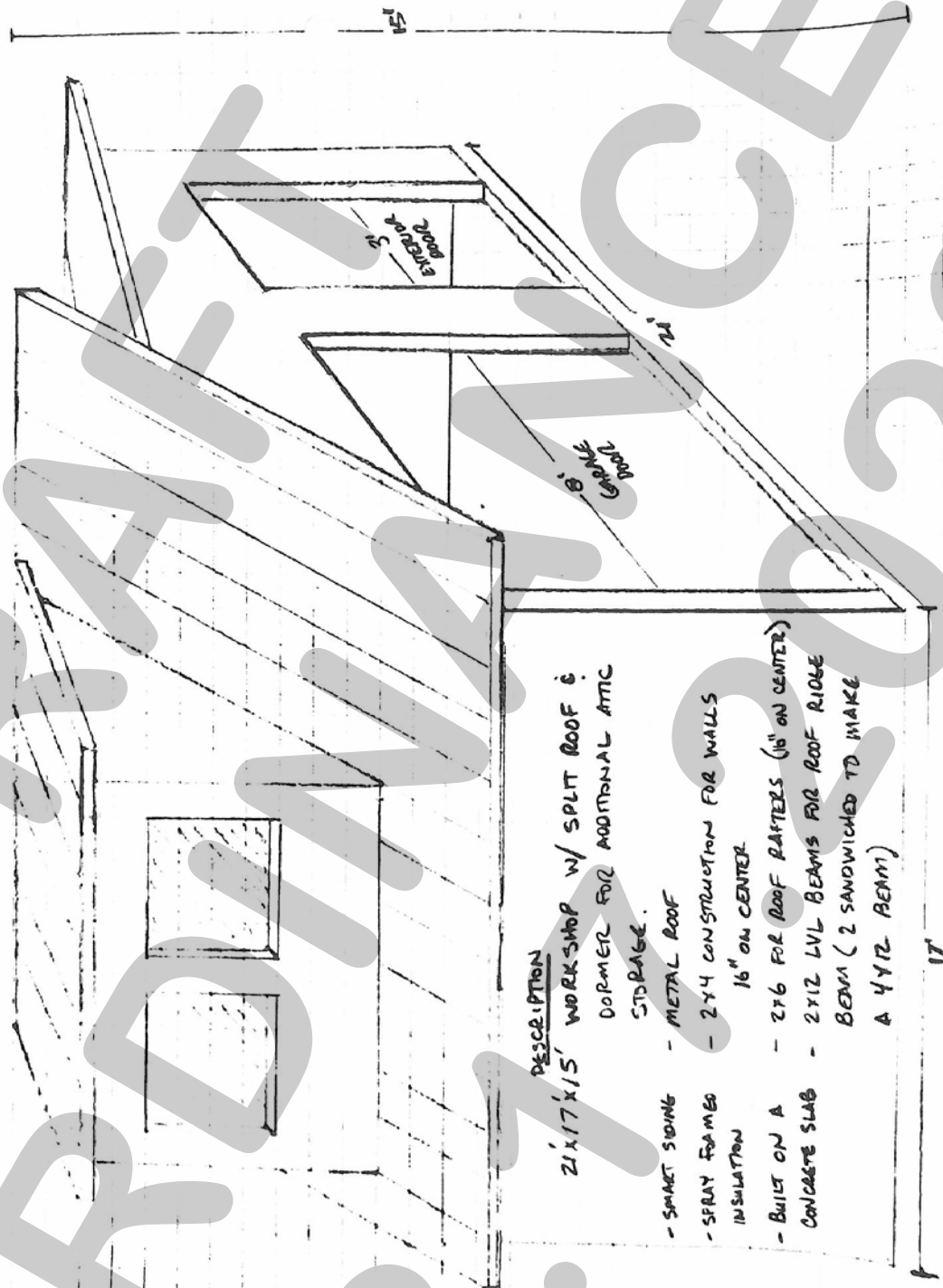


Exhibit 'B':  
Site Plan





**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*





**CITY OF ROCKWALL**

**ORDINANCE NO. 20-34**

**SPECIFIC USE PERMIT NO. S-231**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS, AMENDING THE UNIFIED DEVELOPMENT CODE (UDC) [ORDINANCE NO. 20-02] OF THE CITY OF ROCKWALL AND PLANNED DEVELOPMENT DISTRICT 11 (PD 11), ROCKWALL COUNTY, TEXAS, AS PREVIOUSLY AMENDED, SO AS TO GRANT A SPECIFIC USE PERMIT (SUP) TO ALLOW AN ACCESSORY BUILDING THAT EXCEEDS THE MAXIMUM ALLOWABLE SIZE ON A 0.2297-ACRE PARCEL OF LAND, IDENTIFIED AS LOT 6, BLOCK O, HILLCREST SHORES ADDITION, CITY OF ROCKWALL, ROCKWALL COUNTY, TEXAS; AND MORE SPECIFICALLY DEPICTED AND DESCRIBED IN *EXHIBIT 'A'* OF THIS ORDINANCE; PROVIDING FOR SPECIAL CONDITIONS; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has received a request from Mark Klecha for the approval of a Specific Use Permit (SUP) to allow an Accessory Building that exceeds the maximum allowable size on a 0.2297-acre parcel of land being described as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and being more specifically depicted and described in *Exhibit 'A'* of this ordinance, which herein after shall be referred to as the *Subject Property* and incorporated by reference herein; and

**WHEREAS**, the Planning and Zoning Commission of the City of Rockwall and the governing body of the City of Rockwall, in compliance with the laws of the State of Texas and the ordinances of the City of Rockwall, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally, and to all persons interested in and situated in the affected area and in the vicinity thereof, the governing body in the exercise of its legislative discretion has concluded that the Unified Development Code (UDC) [*Ordinance No. 20-02*] and Planned Development District 11 (PD-11) of the City of Rockwall should be amended as follows:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Rockwall, Texas;

**SECTION 1.** That the Unified Development Code (UDC) [*Ordinance No. 20-02*] of the City of Rockwall, as heretofore amended, be and the same is hereby amended so as to grant a Specific Use Permit (SUP) allowing an *Accessory Building* as stipulated by Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-02*] on the *Subject Property*; and,

**SECTION 2.** That the Specific Use Permit (SUP) shall be subject to the requirements set forth in Subsection 07.04, *Accessory Structure Development Standards*, of Article 05, *District Development Standards*, of the Unified Development Code (UDC) [*Ordinance No. 20-20*] -- as



heretofore amended and as may be amended in the future --, and with the following conditions:

## **2.1. OPERATIONAL CONDITIONS**

The following conditions pertain to the operation of an *Accessory Building* on the *Subject Property* and conformance to these conditions are required for continued operations:

- (1) The *Accessory Building* shall generally conform to the concept plan and the conceptual building elevations depicted in *Exhibits 'B' & 'C'* of this ordinance.
- (2) The *Accessory Building* shall not exceed a maximum size of 360 SF.
- (3) The subject property shall not have more than one (1) accessory building.

## **2.2. COMPLIANCE**

Approval of this ordinance in accordance with Subsection 02.02, *Specific Use Permits (SUP)*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC) will require compliance to the following:

- (1) Upon obtaining a *Building Permit*, should the homeowner fail to meet the minimum operational requirements set forth herein and outline in the Unified Development Code (UDC), the City Council may (*after proper notice*) initiate proceedings to revoke the Specific Use Permit (SUP) in accordance with Section 2.02(F), *Revocation*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC).

**SECTION 3.** That the official zoning map of the City be corrected to reflect the changes in zoning described herein.

**SECTION 4.** That all ordinances of the City of Rockwall in conflict with the provisions of this ordinance be, and the same are hereby repealed to the extent of that conflict.

**SECTION 5.** Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a penalty of fine not to exceed the sum of *TWO THOUSAND DOLLARS (\$2,000.00)* for each offence and each and every day such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 6.** If any section or provision of this ordinance or the application of that section or provision to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the ordinance without the invalid parts and to this end the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That this ordinance shall take effect immediately from and after its passage.



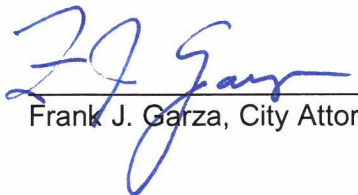
PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS,  
THIS THE 8<sup>TH</sup> DAY OF SEPTEMBER, 2020.

  
\_\_\_\_\_  
Jim Pruitt, Mayor

ATTEST:

  
\_\_\_\_\_  
Kristy Cole, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Frank J. Garza, City Attorney

1<sup>st</sup> Reading: August 17, 2020

2<sup>nd</sup> Reading: September 8, 2020





**Exhibit 'A'**  
*Zoning Exhibit*

Address: 1748 Lake Breezy Drive

Legal Description: Lot 6, Block O, Hillcrest Shores Addition

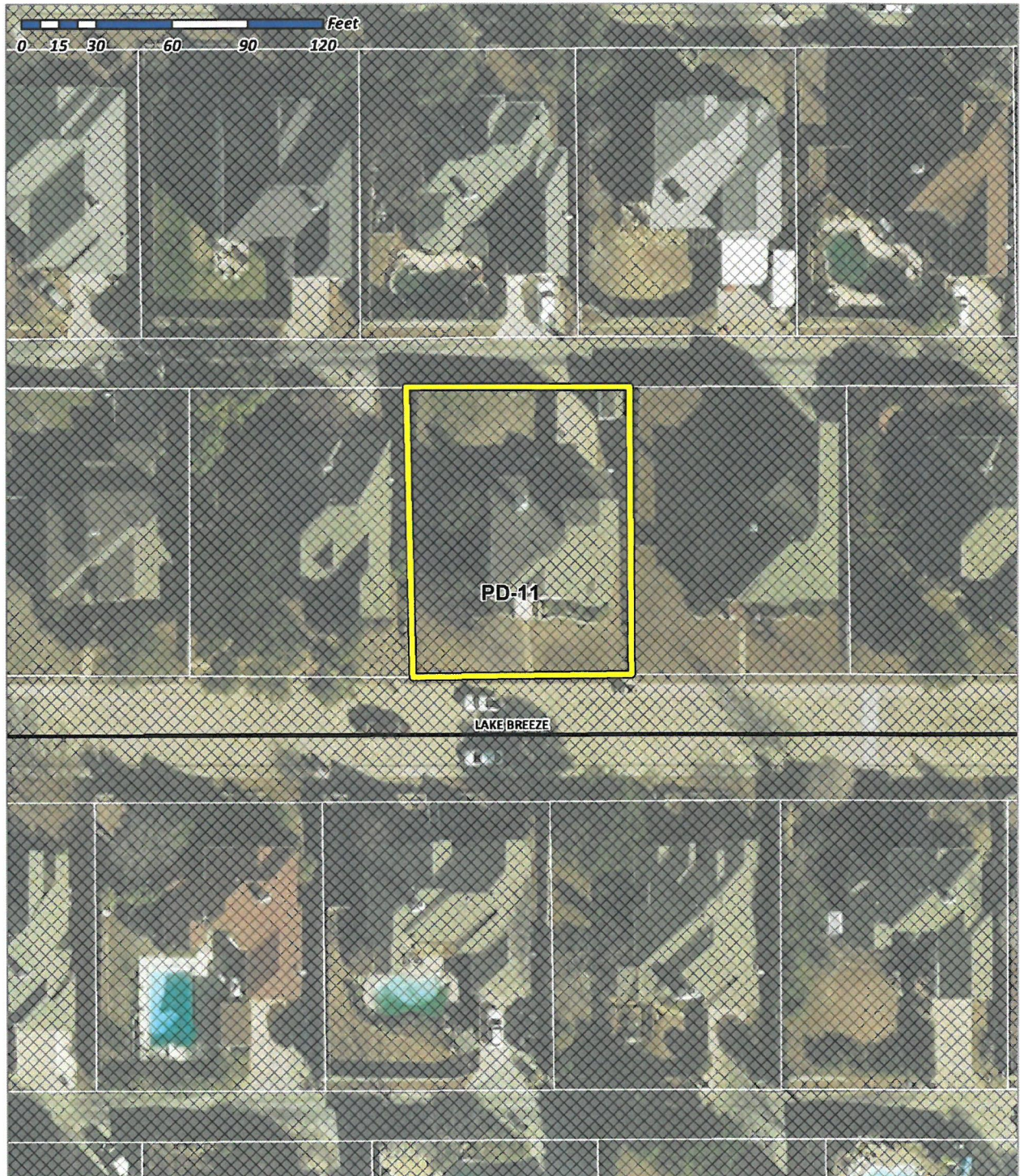




Exhibit 'B':  
Site Plan

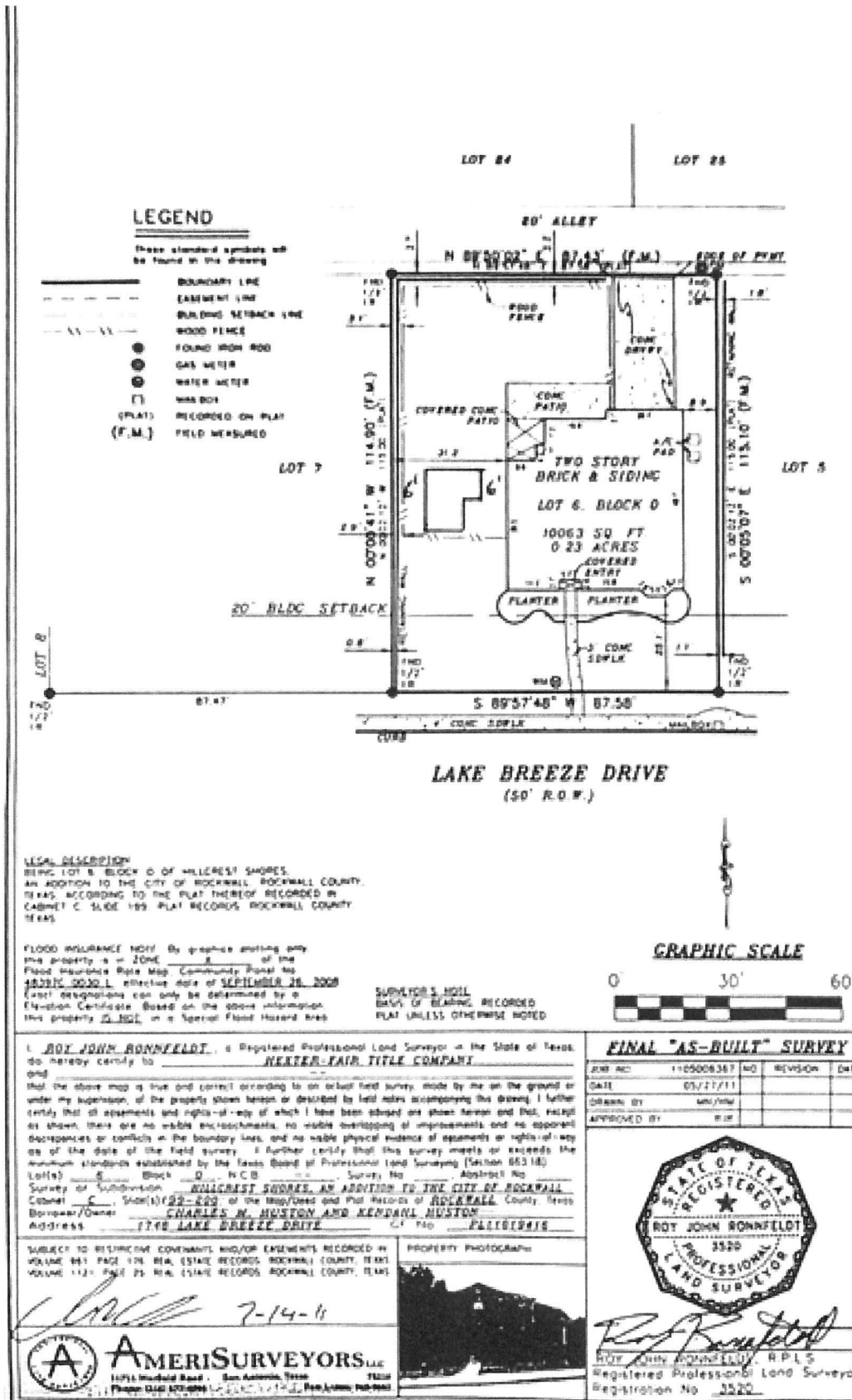
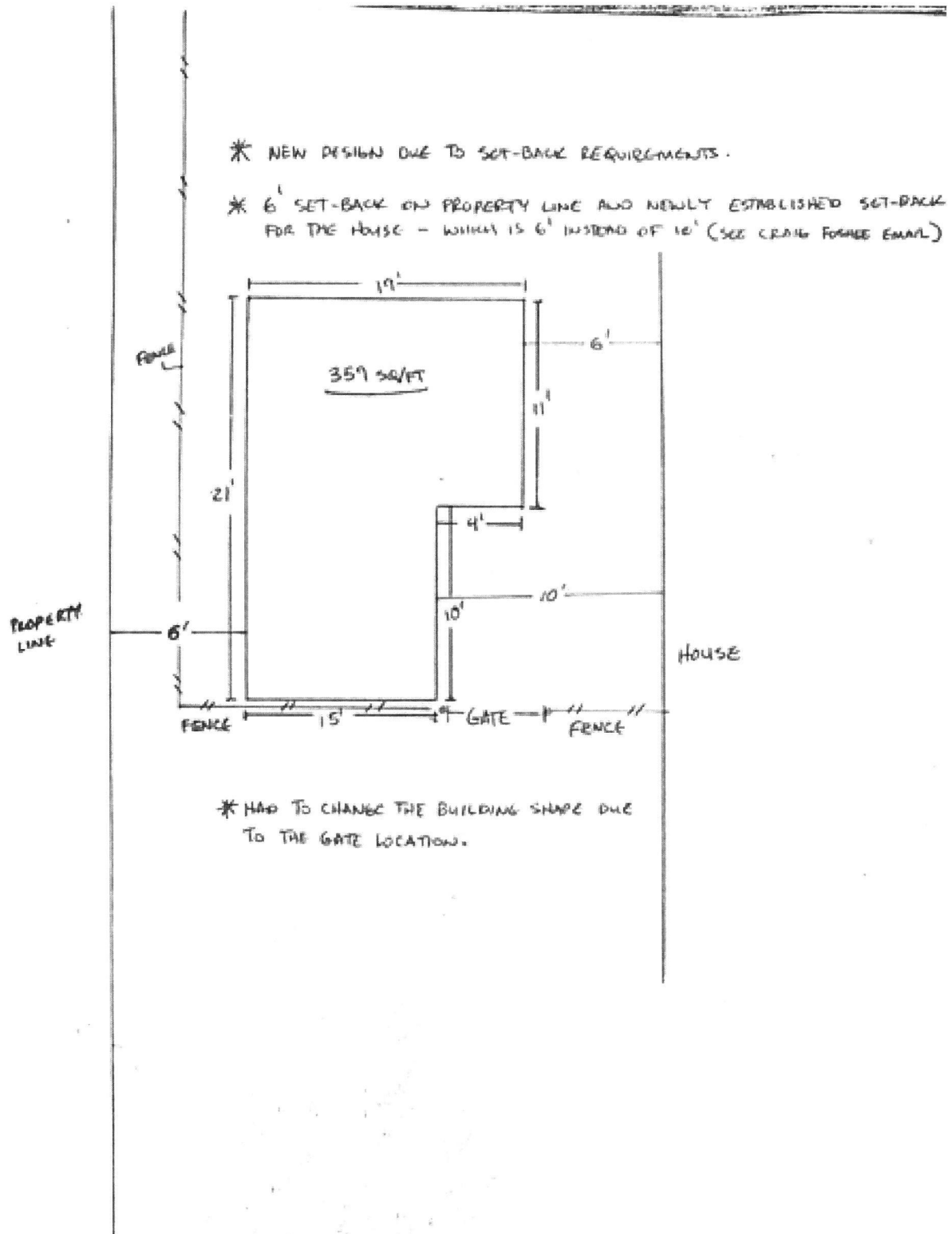


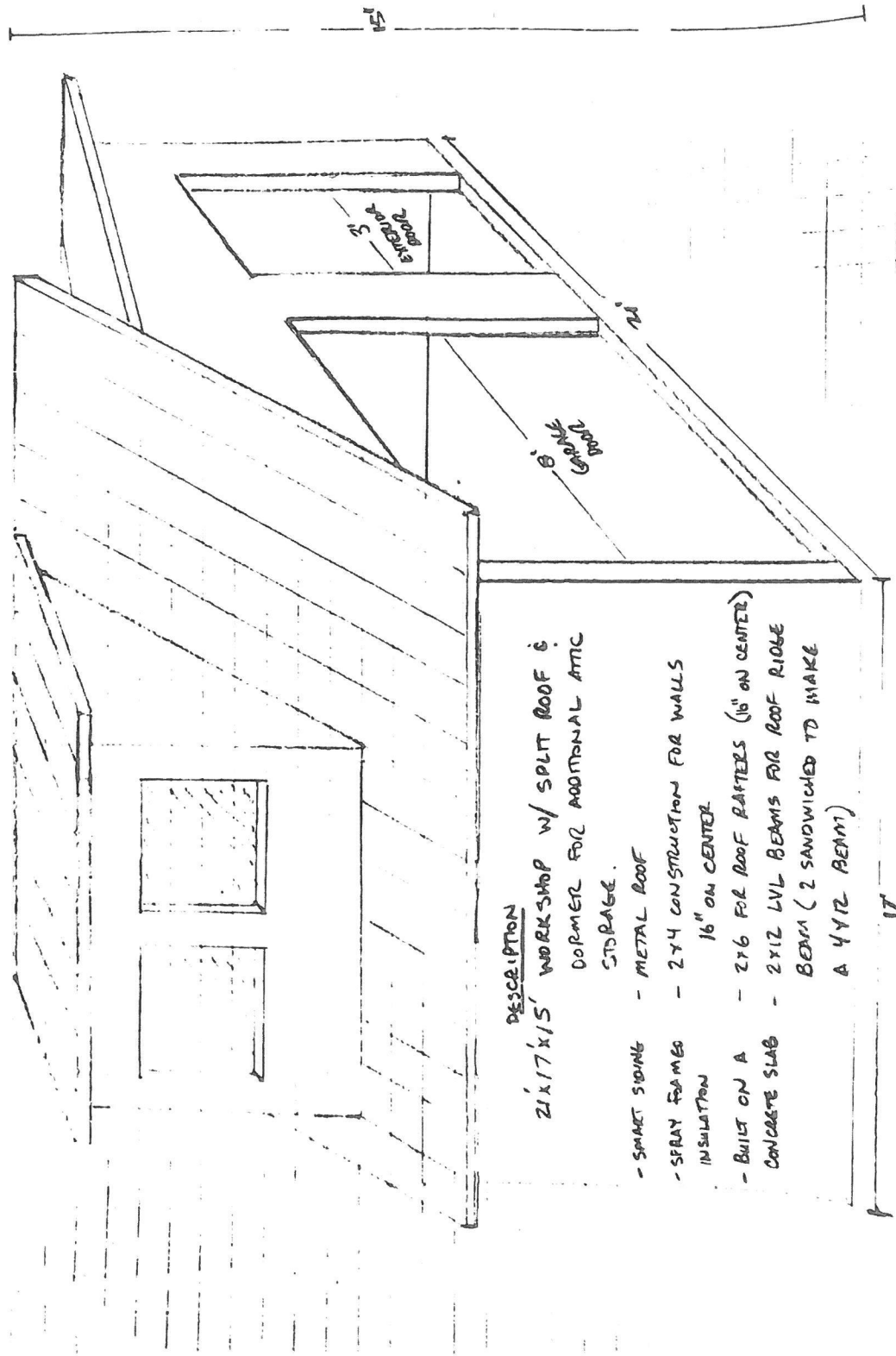


Exhibit 'B':  
Site Plan



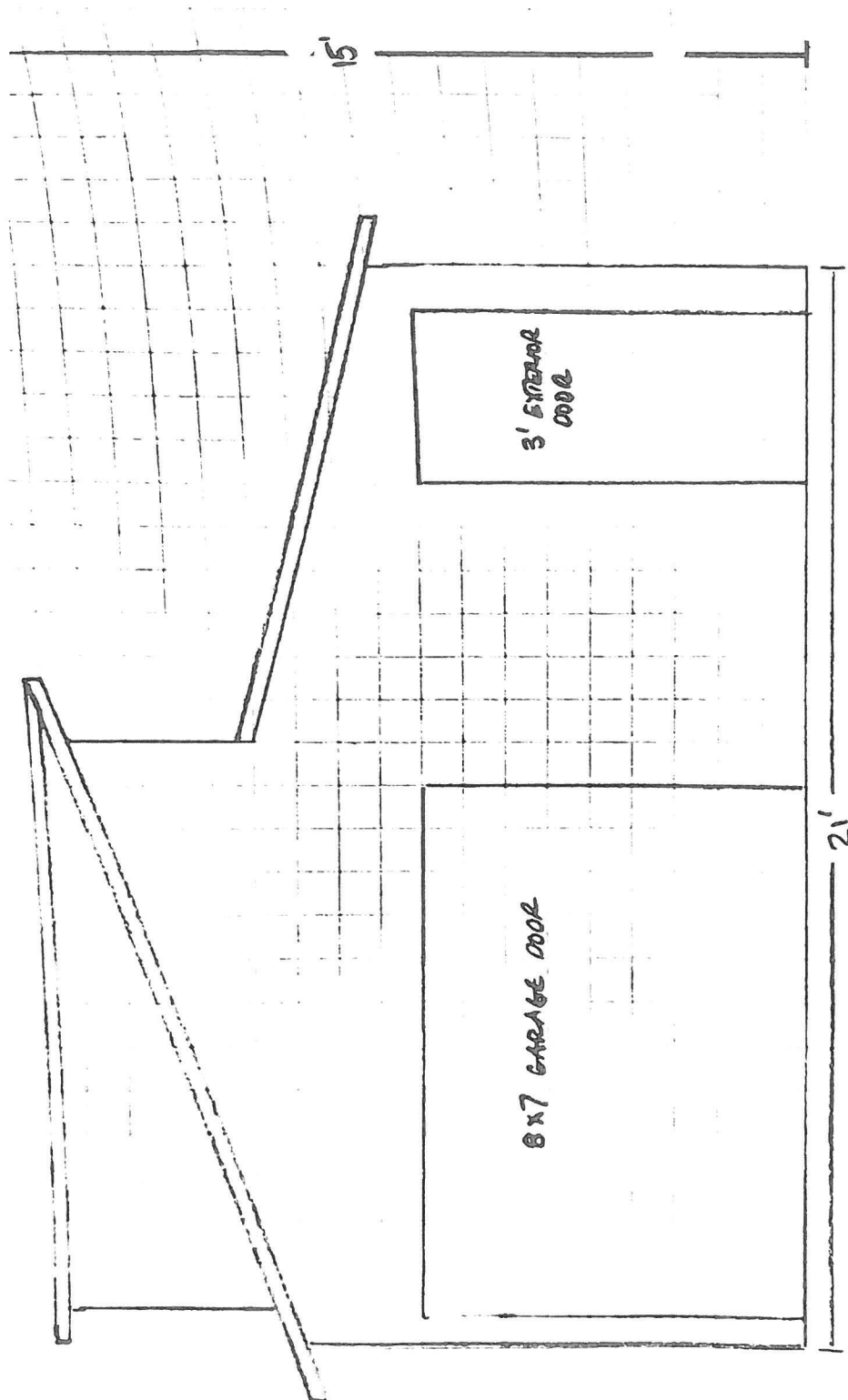


**Exhibit 'C':**  
*Conceptual Building Elevations*





**Exhibit 'C':**  
*Conceptual Building Elevations*







May 24, 2021

TO: Mark Klecha  
1748 Lake Breeze Drive  
Rockwall, TX 75087

FROM: David Gonzales, AICP  
City of Rockwall Planning and Zoning Department  
385 S. Goliad Street  
Rockwall, TX 75087

SUBJECT: Z2021-010; *Specific Use Permit for an Accessory Building at 1748 Lake Breeze Drive*

Mr. Klecha:

This letter serves to notify you that the above referenced zoning case that you submitted for consideration by the City of Rockwall, was denied by the City Council on May 17, 2021. The following is a record of all voting records:

Planning and Zoning Commission

On May 11, 2021, the Planning and Zoning Commission approved a motion to recommend denial of the applicants request to amend Specific Use Permit (SUP) No. S-231 [*Ordinance No. 20-34*] by a vote of 5-0, with Commissioners Moeller and Conway absent. The recommendation to deny the request effectively requires the applicant to conform to SUP No. S-231 [*Ordinance No. 20-34*], which will require the applicant to reduce the size and height of the accessory building complying with the approved building plans. According to *Subsection 02.03(G), Protest of Zoning Change*, of Article 11, of the *Unified Development Code (UDC)*, "if such change is recommended for denial by the Planning and Zoning Commission, such zoning change or Specific Use Permit (SUP) shall require a supermajority vote (*i.e. a three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative required for approval."

City Council

On May 17, 2021, the City Council approved a motion to deny the Specific Use Permit (SUP) request by a vote of 7-0. The denial requires the applicant to conform to Specific Use Permit No. S-231 [*Ordinance No. 20-34*].

According to Subsection 02.05, *City Council Action*, of Article 11, *Development Applications and Review Procedures*, of the *Unified Development Code (UDC)*, "(t)he City Council may deny a request for a zoning change, Specific Use Permit (SUP), or text amendment with or without prejudice. If a request or amendment is denied with prejudice, a new application may not be submitted for the same lot or tract of land -- or any portion thereof -- for a period of one (1) year unless the request is for a more restrictive or less intense land use than the previously denied request ... If a request or amendment is denied without prejudice, no restrictions on resubmitting an application shall apply (*i.e. an application for the same request may be filed at the applicant's discretion*). A failure to indicate a denial is with or without prejudice in making a motion to deny a request or amendment shall be considered a denial with prejudice." Should you have any questions or concerns regarding the denial of your request, please feel free to contact me a (972) 771-7745.

Sincerely,

  
David Gonzales, AICP  
Planning and Zoning Manager



## Gonzales, David

---

**From:** Mark Klecha <markklecha@hotmail.com>  
**Sent:** Saturday, April 17, 2021 10:18 AM  
**To:** Miller, Ryan  
**Subject:** Fwd: Project Comments: Z2020-030

Ryan,

I have figured out where I went wrong here. After our discussion yesterday I have been searching through all of my emails and found out what happened. I sent you this email (below) talking about the new shed design and only included the plot/profile attachments. The new design I speak to in this email was never attached. I don't know why or what I was doing then (it's been a while now), but between all of our emails and phone calls, I just didn't attach them.

I looked for the email I sent to the engineer and found the new design photos I had with me at our meeting yesterday. I sent them to the engineer to get the letter from him, so his letter includes the new design that I built. I will send that email to you as well to have for the committee meeting.

Once this thing was approved, I started building based on the new design, which I thought was the approved structure. You didn't have that new design, you only had the new plot that shows the floor plan change, but still had my very first drawing, which when overlaid on the new plot clearly wouldn't have made sense. But I never caught that and neither did anybody else. Had I realized that, I would have asked the question and we could have fixed it then.

I am pretty upset with myself for missing that. I have invested well over \$25K into this project already, not to mention the time and stress working with the city to do this correctly. I would never want to jeopardize that or do anything against what was approved. I'm very hopeful we can remedy this with the amendment, fix the code issues, and put this behind us.

Please let me know if you have any questions.

-Mark

Begin forwarded message:

**From:** Mark Klecha  
**Date:** August 3, 2020 at 9:39:24 AM CDT  
**To:** "Miller, Ryan"  
**Subject:** Re: Project Comments: Z2020-030

Ryan,

Please see attached plot update and drawing for new shed design! Also, I received an email from Craig Foshee about new setback allowances since this is an accessory building and not a detached garage. My 10' setback from my house is no longer 10', but 6', so I updated the design of the structure to reflect that.



I had to leave the garage location in the same place on the slab because I built my fence gate around that garage door being in a specific spot, so I can't move it closer to the house without blocking the gate. To remedy that, I bumped out a portion of the structure to get some of the space back that I lost having to slide the entire building over a few feet.

Please let me know if you have any questions or foresee any issues with the new design.



-Mark



# LEGEND

These standard symbols  
be found in the drawings



BOUNDARY



EASEMENT



BUILDING SETBACK



WOOD FENCE







9:17

< All Inboxes

20 Messages



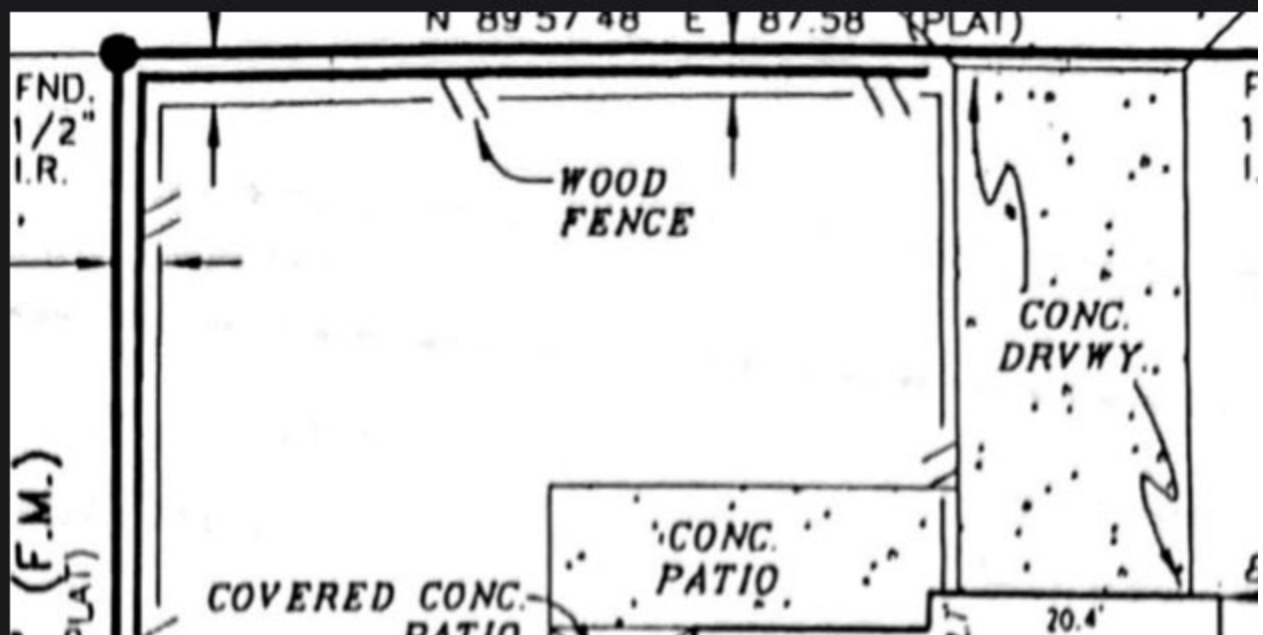
Craig Foshee

To: Mark Cc: Russell >

## RE: 1748 LAKE BREEZE DR RES2020-1870 Detached workshop 357 square feet

Mr. Klecha,

Since this will become an Accessory Building and not a detached garage the setback requirements change. See the figure below! Setback building will be 6 feet from the house and 6 feet from the side property line. The building according to your drawing is 17 feet wide and width of space of 29 feet, and according to the survey you provided there is 31.2 feet available. Therefore, no Board of Adjustment Hearing is needed. If you take the detached garage route, the required setback from the house would be increased to 10 feet and a Board of Adjustment Hearing would be required. Let me know if you have any questions!





On Jul 24, 2020, at 2:10 PM, Mark Klecha wrote:

Perfect! That's the answer I was looking for. I got a little concerned that I needed to have an engineer stamp by the 4 August deadline.

I will let this process flow and take it step by step.

Thanks!

-M

On Jul 24, 2020, at 1:11 PM, Miller, Ryan wrote:

Mark ... I would not initiate an engineer until you have the SUP (*i.e. the entitlement*) to build the structure. Once you have the approved SUP it will depend on when you initiate the structural engineer on: [1] if you don't adjust the setbacks to meet the requirements you would need to go to the Board of Adjustments (BOA) first and so I would initiate the engineer until after that process, or [2] if you adjust the setbacks you would then engage the engineer and provide the letter as part of your building permit. If you have any additional questions please let me know. Thanks.

**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING &  
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972.772.6441 OFFICE

[RMILLER@ROCKWALL.COM](mailto:RMILLER@ROCKWALL.COM)

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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[GIS Division Website](#) | [City of Rockwall Interactive Maps](#) |  
[UNIFIED DEVELOPMENT CODE](#)

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2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

---

**From:** Mark Klecha

**Sent:** Friday, July 24, 2020 11:25 AM

**To:** Miller, Ryan

**Subject:** Re: Project Comments: Z2020-030

Ryan,



Quick update...I don't have anybody here that I can call in as my representative. And nobody will answer questions or defend my application better than I, so I had to move my trip around in order to be there Tuesday.

Also, with respect to the structural engineer requirements, when do I need to have that approved and stamped by the engineer? Is it after the SUP process and during the building permit process or do I need to have this by a specific date? I ask because the few engineers I've reached out to currently are 3-4 weeks out before I can get the plans looked at and approved.

-Mark

On Jul 24, 2020, at 9:09 AM, Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)> wrote:

Mark ... I will update everything denoting the removed structure. With regard to not making the meeting, I will pass along your email to the Planning and Zoning Commission; however, if you can have someone there it is highly encouraged. If you have any questions or additional concerns please let me know. Thanks.

**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING &  
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**From:** Mark Klecha <[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>

**Sent:** Friday, July 24, 2020 8:51 AM

**To:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>

**Subject:** Re: Project Comments: Z2020-030

Mr. Miller,

Thank you for the information. Couple quick things and  
then I will get to work on my responses.

- I will be out of town next week helping my in-laws  
move from FL to Fort Worth. I wanted that to be on  
record in case it is looked down upon for me not being



in attendance at the working group. I would be there, but I had this trip planned and paid for prior to this SUP requirement and subsequent schedule of events.

- On the project comments page, M.7 mentions an existing structure. That is incorrect. I had a 8x12 shed on my property prior to getting a third driveway poured. That structure has been removed.

Warm Regards,

-Mark

On Jul 24, 2020, at 7:55 AM, Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)> wrote:

Mr. Klecha,

Attached are the project comments and draft ordinance for your Specific Use Permit (SUP) request. Please address all of the comments and read through the draft ordinance by August 4, 2020. The meeting schedule for your case is as follows:

P&Z Work Session: July 28, 2020

P&Z Public Hearing: August 11, 2020

City Council Public Hearing/First

Reading: August 17, 2020

City Council Second Reading/Approval:  
September 8, 2020

All meetings will be held at 6:00 PM in the City Council Chambers at City Hall (*i.e. 385 S. Goliad Street*). It is required that someone be present at each of these meetings to represent your case. If you have any questions please let me know. Thanks.

**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING •  
PLANNING & ZONING DIVISION • CITY  
OF ROCKWALL

972.772.6441 OFFICE

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## Gonzales, David

---

**From:** Mark Klecha <markklecha@hotmail.com>  
**Sent:** Saturday, April 17, 2021 10:24 AM  
**To:** Miller, Ryan  
**Subject:** Fwd: Workshop Engineering Stamp

Ryan,

Here is my email with the structural engineer explaining the new design with the attached photos that you never received.

Again, any questions, please ask away!

-Mark

Begin forwarded message:

**From:** "Matthew Skaggs, P.E."  
**Date:** August 20, 2020 at 4:08:02 PM CDT  
**To:** Mark Klecha  
**Subject:** Re: Workshop Engineering Stamp  
**Reply-To:** "Matthew Skaggs, P.E."

Typically, I will review and write a letter for \$500. Right now I am pretty busy, but will get to it as soon as I can. I will need your address for the letter. Thanks,

Matthew Skaggs, P.E.  
Principal  
Skaggs Engineering  
1018 Meadow Green Court  
Princeton, TX 75407  
972-369-2194

On Thursday, August 20, 2020, 12:46:04 PM CDT, Mark Klecha wrote:

The city asked for a structural engineer "letter" stating that the retaining wall & concrete slab can hold the weight of the structure and also that the structure is sound and well designed. I'm not sure what language you use to say that, so however that needs to be stated to ensure the city engineers and permit folks accept it should suffice.

Here are my drawings. I'm not sketch up expert so the scale is not perfect, but the dimensions are correct and it's better than I can hand draw it!

Also, the concrete sketch has an additional 4x11' section I will have to pour and connect to the existing slab in order to accommodate the small pop out portion of the shop (it will be 4" thick with a 12" footer and



1/2" rebar spaced 16" apart and tied into the existing slab with rebar). When I initially designed it, I was planning to make a rectangular structure, but the property line set backs had to move 3' closer to my house, so to make up for that lost space, I added the pop out section. So the structure will start 3' from the edge of the new retaining wall.

I wrote a description of materials and how I plan to construct the shop. Do you need more information or detail than that? Pictures to follow...

Appreciate the quick reply. Out of curiosity, what is your fee for something like this so I can prepare myself?!

-Mark



BUILDING WILL BE CONSTRUCTED USI  
WITH SMART SIDING OUTER PANEL

CONSIDER

THE ROOF WILL BE A METAL STAND  
SHEETING AND 3016 ROOFING FEET.

THE ROOF TRUSSES WILL BE CONSTRU  
BEAM AND 2x6 RAFTERS 16

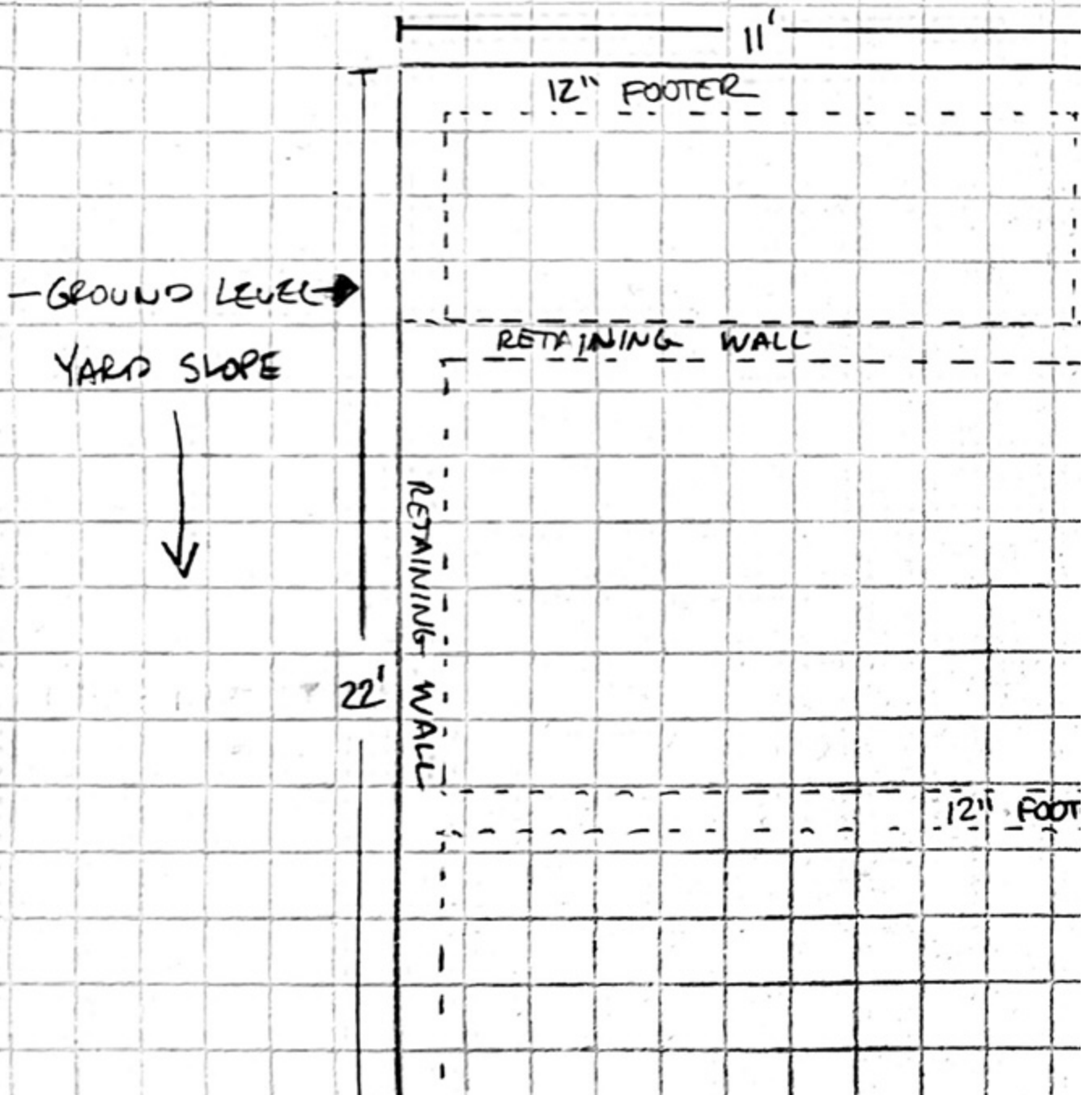
THE STRUCTURE WILL CONNECT TO TH  
TREATED LUMBER AND  $\frac{1}{2} \times 5''$

THE GARAGE DOOR WILL BE ROLL-UP  
WILL BE A STANDARD 3'x7' EXTERIO.

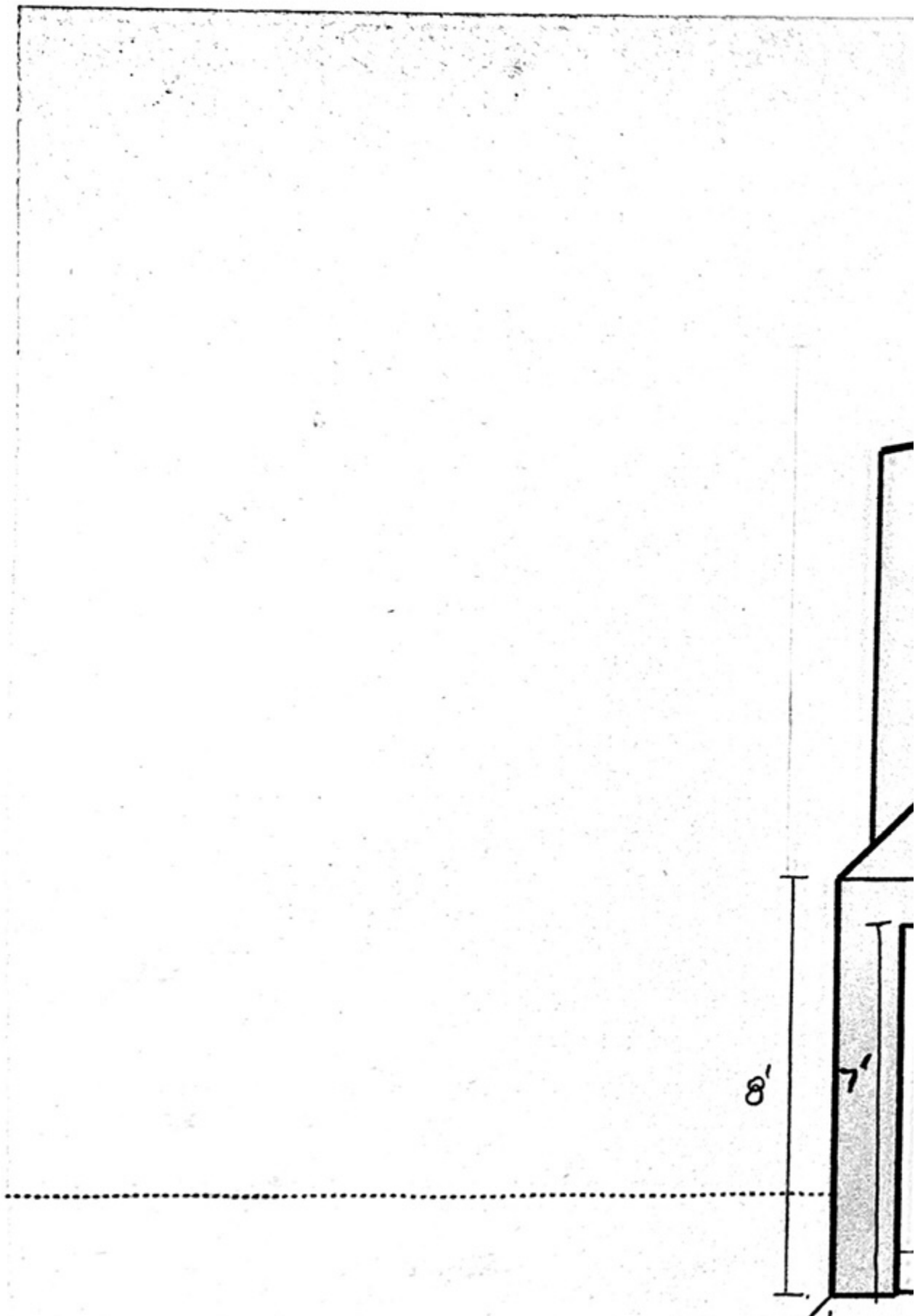


## CONCRETE PAD W/ RETAINING

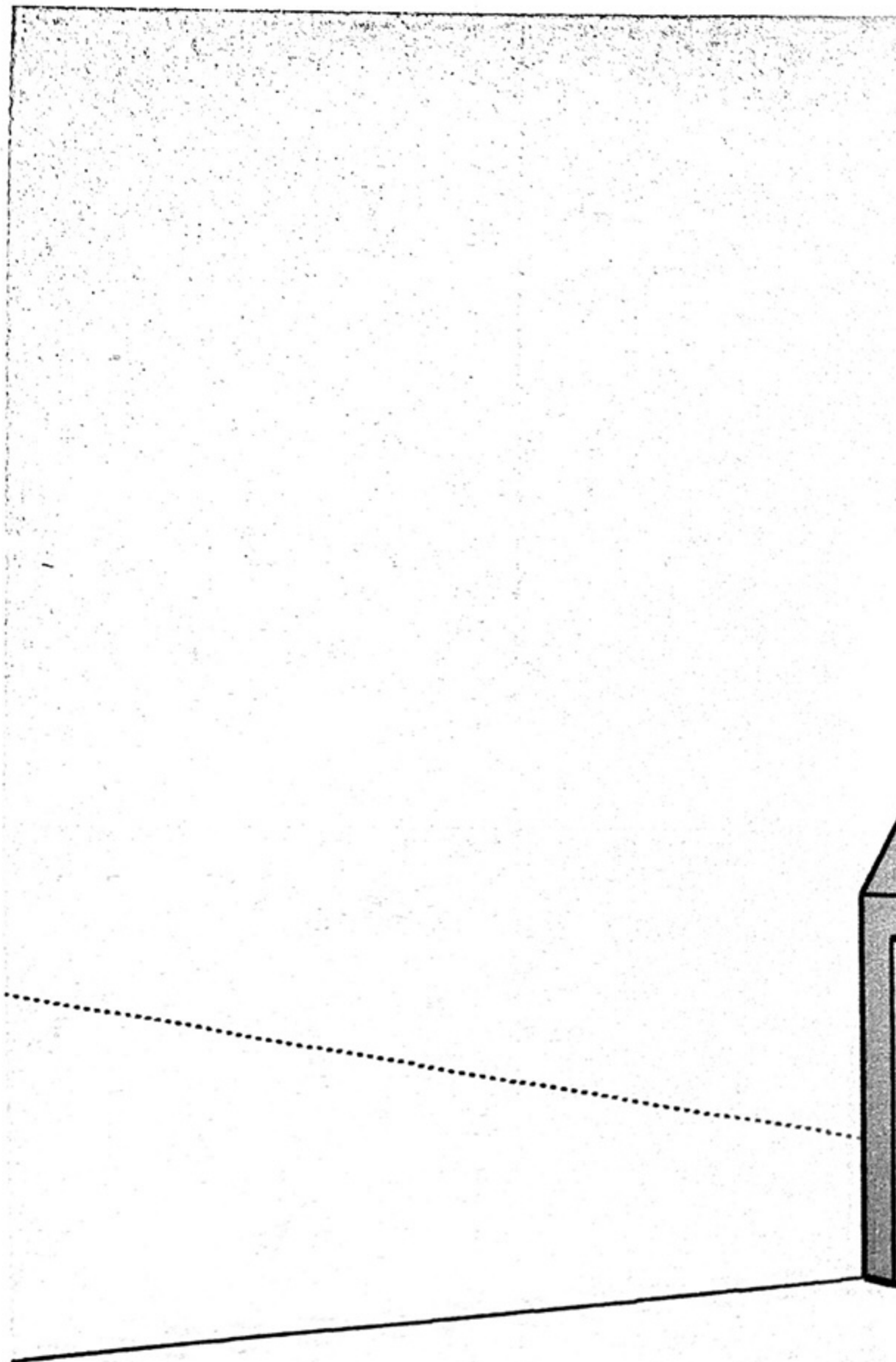
- 3,000 PSI CONCRETE
- $\frac{1}{2}$ " REBAR THROUGHOUT  
(SPACED 16" APART FOR SLAB)



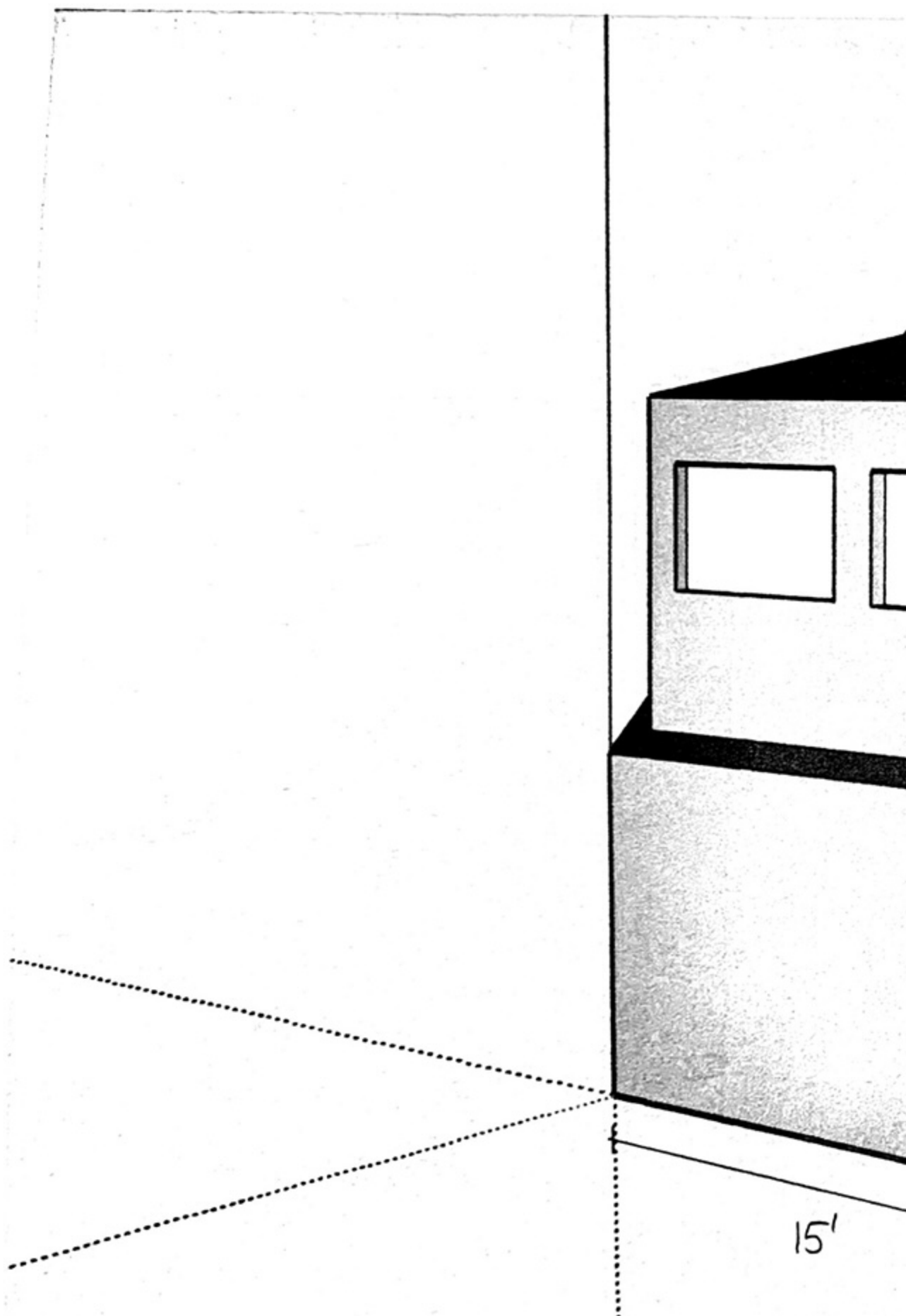














On Aug 20, 2020, at 6:37 AM, Matthew Skaggs, P.E. wrote:

Please send me over the drawings and pictures. Hand drawings are OK, unless I need stamp them. If a letter is all that you need, then the hand drawings should be OK.

Matthew Skaggs, P.E.  
Principal  
Skaggs Engineering  
1018 Meadow Green Court  
Princeton, TX 75407  
972-369-2194

On Wednesday, August 19, 2020, 4:02:51 PM CDT, Mark Klecha wrote:

Matthew,

My name is Mark Klecha and I got your information from Lee Windham.

I need to get a structural engineer letter/stamp for a retaining wall, concrete pad and small workshop (~360 sq/ft) I am building on my property. I am in a weird situation, so let me give you some back ground. I spoke with my city building inspector while getting a drive way poured a few months back about building this work shop. Told him the size and dimensions and where I wanted to put it on my property. He told me what to do to get the permits and off I went. My yard slopes (we live on a small hill) and I needed to build an additional retaining wall to get the ground level enough for the shop. I pulled a permit for the retaining wall and concrete slab. The retaining wall and slab are already complete, but I have all the dimensions and materials I had the contractor use to make it (drawings and pictures). Both permits have been approved and finalized by the city already as well. Here is where things get interesting. I applied for my building permit and was told that my building was too large (over 144 sq/feet) and that I needed a specific use permit. Without going into too much detail, I had to get approval from the mayor and his city council...which they approved. However, one of the stipulations to apply for my building permit going forward is to have a structural engineer letter for my retaining wall, concrete pad and the building to ensure it will hold the weight of my workshop (even though they already approved the retaining wall and concrete pad permits).

Here are the details of the retaining wall and concrete slab I had built just to give you an idea of where I'm at. It is approximately 22'x18'. I have an existing retaining wall on my property already, due to the slope of our yard. In order to keep that existing wall from bearing any of the load, the contractor dug a trench down to the bottom level of the existing retaining wall (just behind and parallel



to it) and continued digging into the ground 3' around the entire perimeter of the 22'x18' dimension (following the slope of my yard). They used 1/2" rebar and made a metal I-beam structure before pouring the concrete retaining wall (using 3000psi concrete). The retaining wall is capped via rebar with the concrete slab, connecting the entire 22'x18' rectangle into one solid structure. The majority of this retaining wall is underground with about 3' exposed where my yard slopes down the farthest and the wall is 12" thick on the front and sides and 16" thick on the back where it parallels the other retaining wall. This thing is a beast! Seeing pictures will help you envision it better. The concrete slab is approximately 5-6" thick and has a 12" footer down the center of it for added strength (all connected to the retaining walls).

What do you need from me in order to move forward? I can send all of my drawings for the retaining wall, slab and the building with dimensions & construction materials for the project. Are hand drawings with material details okay or do you prefer something different?

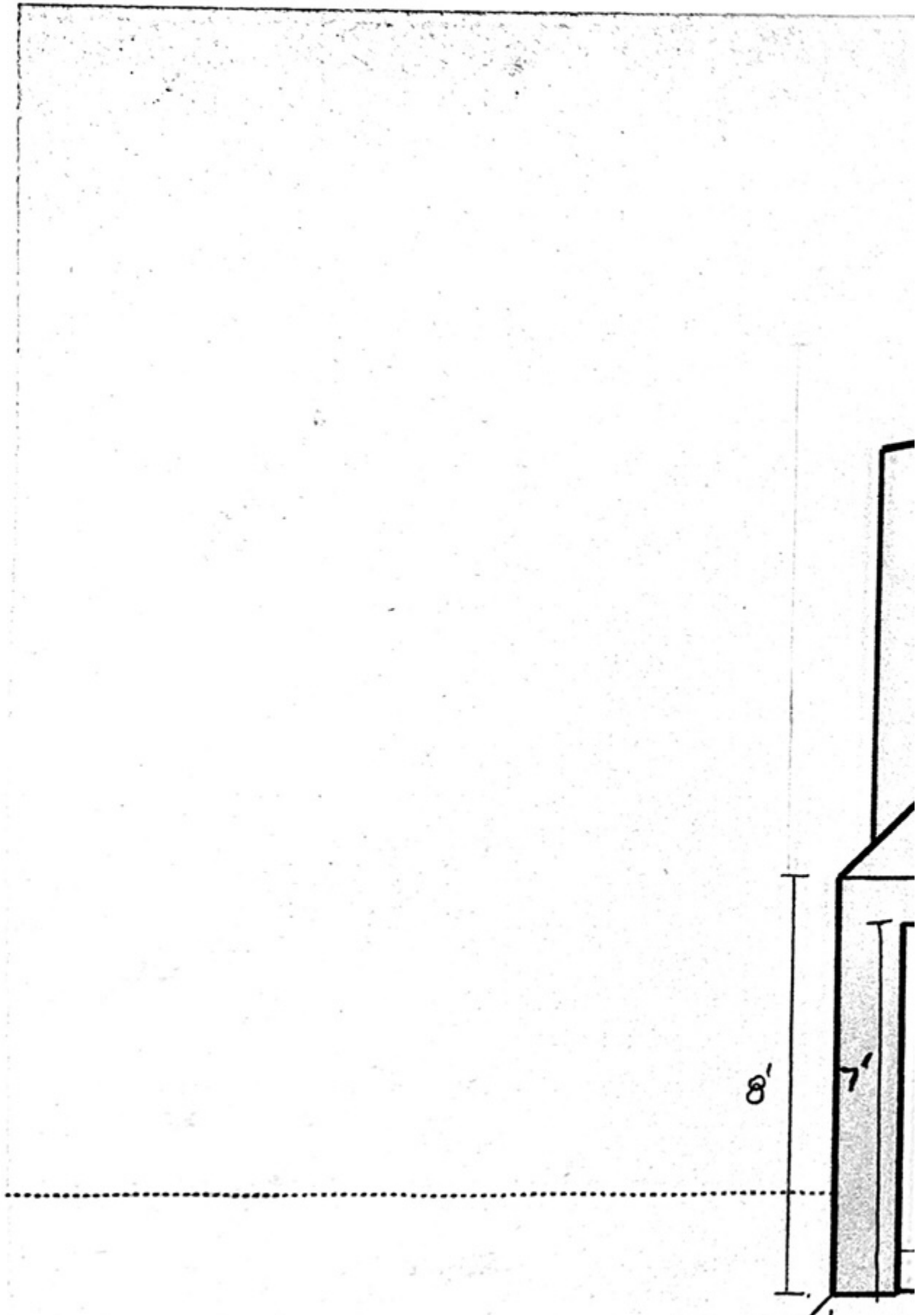
Lee mentioned that your turn around time is in the 3-4 week range. I am not in a huge rush, just want to do this right and make sure I can pull my building permit without any more issues with the city.

I appreciate your time and apologize for the novel.

Warm Regards,

-Mark

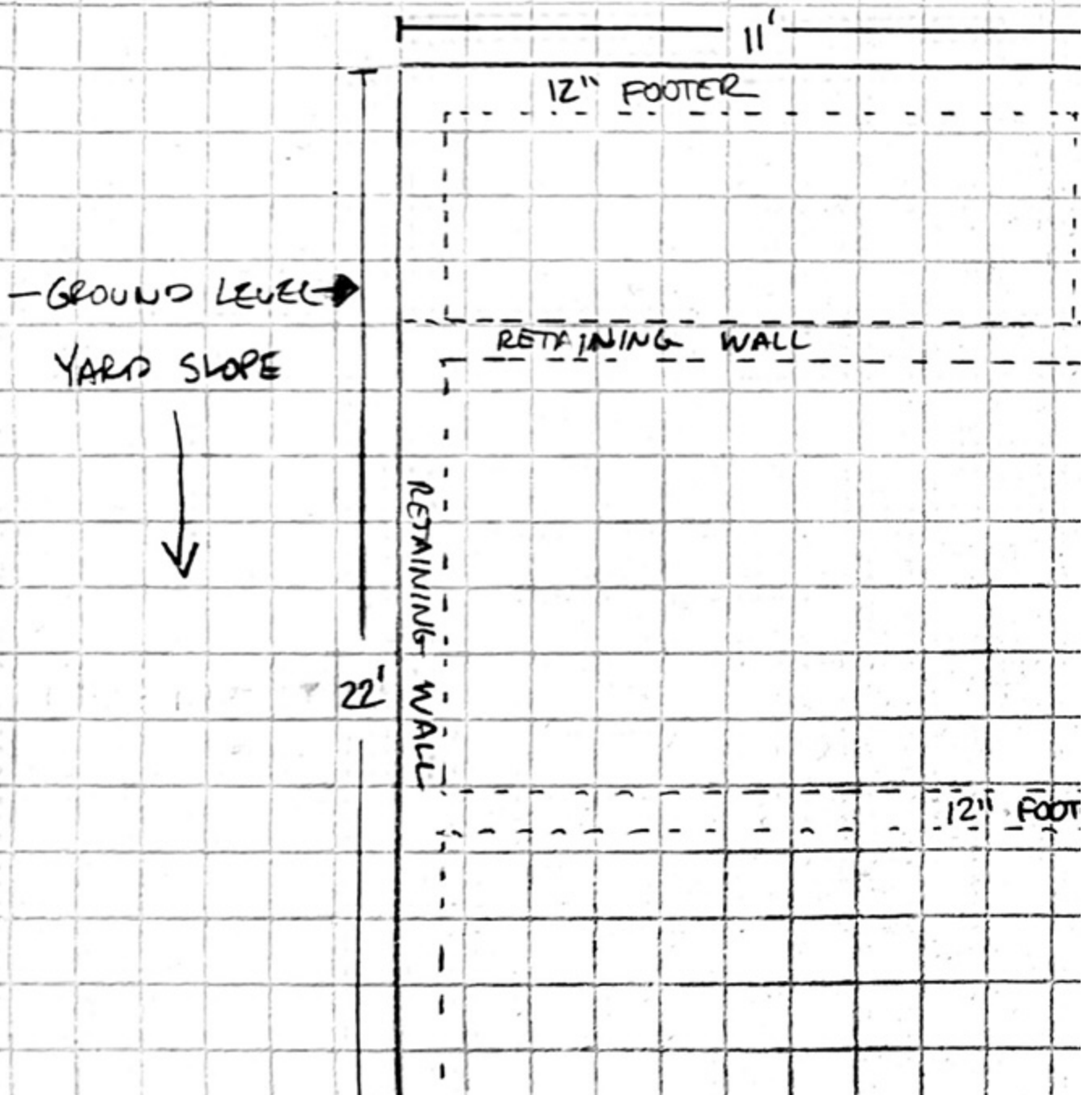




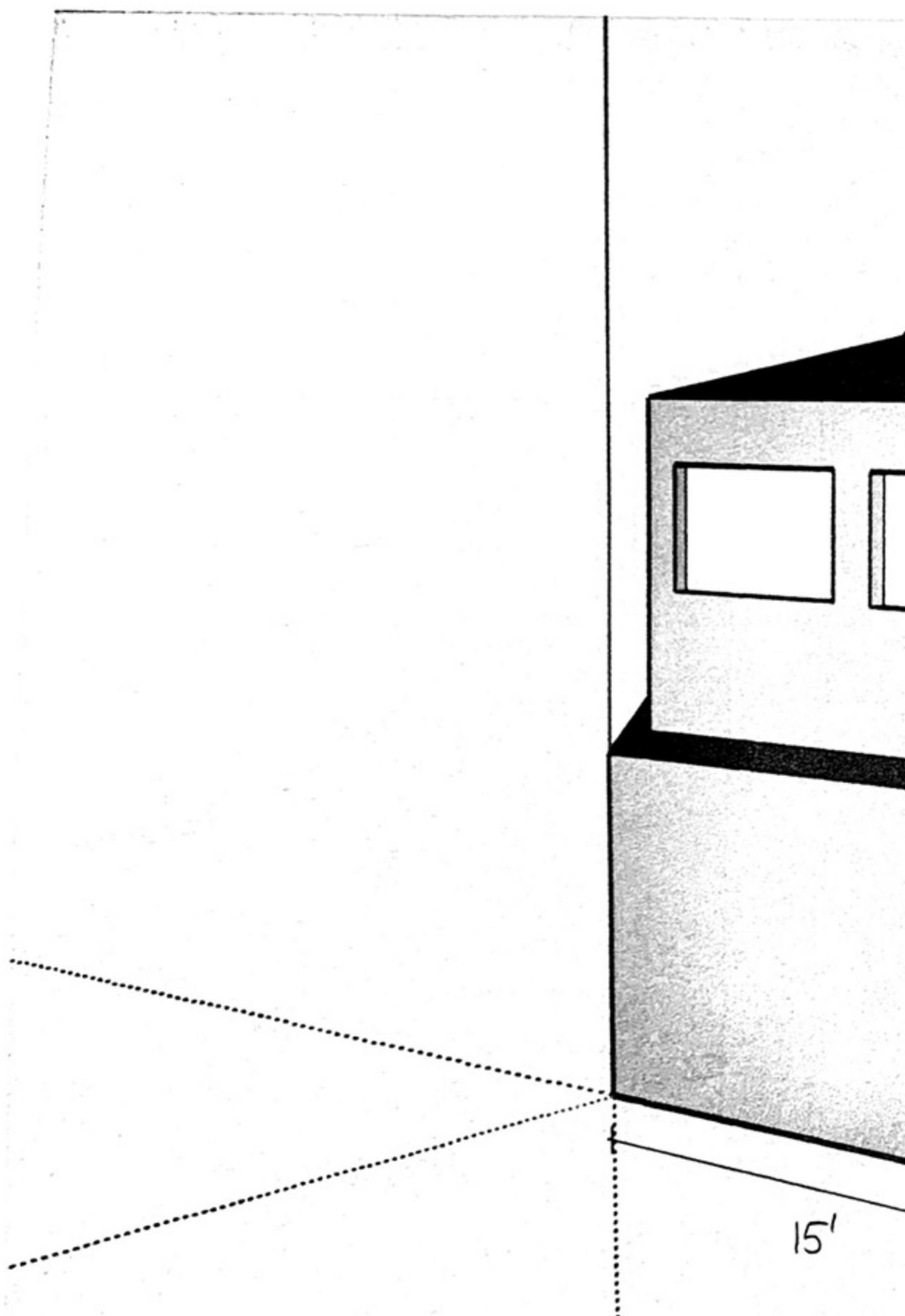


## CONCRETE PAD W/ RETAINING

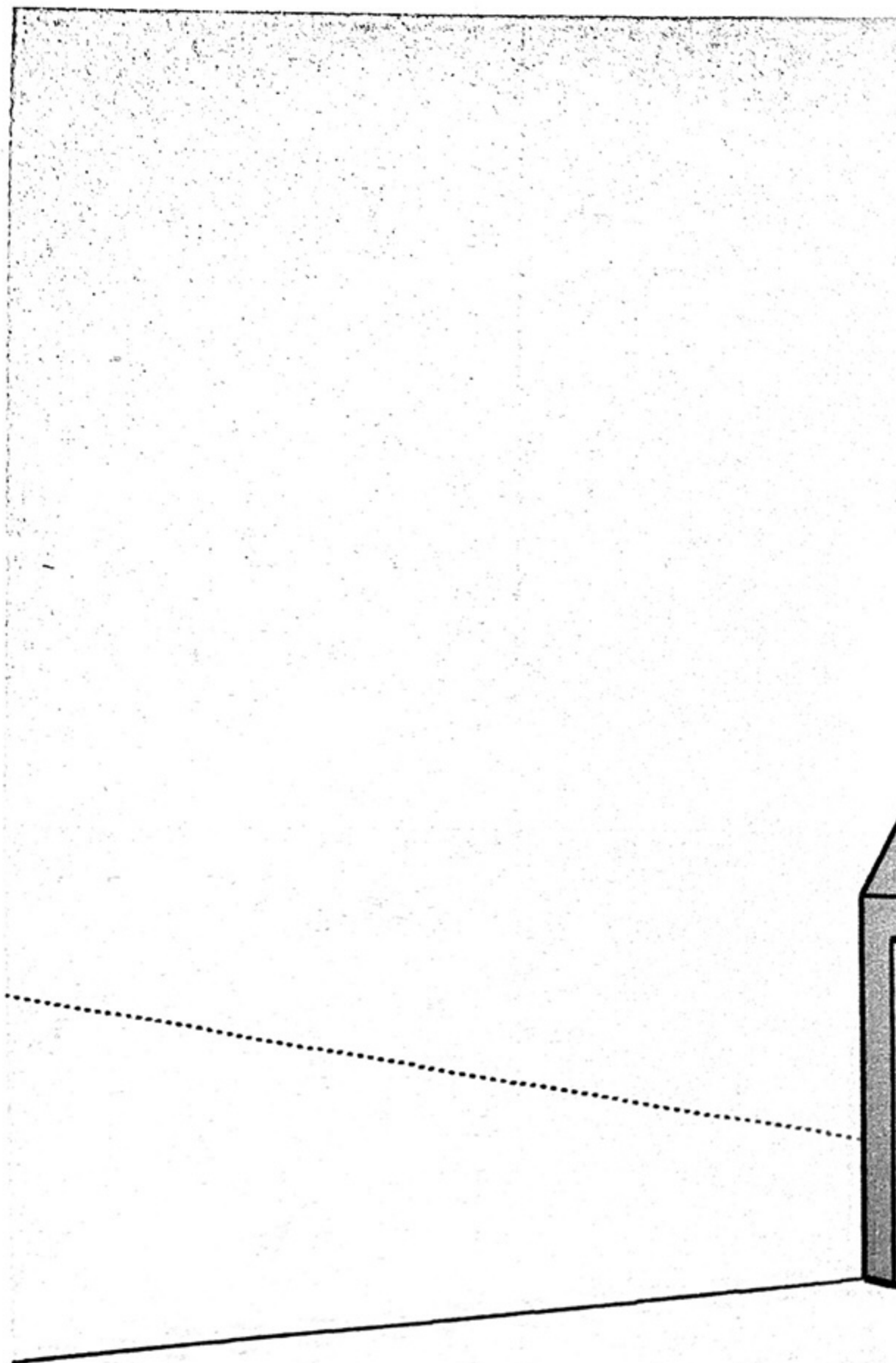
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## Gonzales, David

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**From:** Foshee, Craig  
**Sent:** Thursday, April 22, 2021 3:51 PM  
**To:** Gonzales, David; Miller, Ryan  
**Cc:** McDowell, Russell  
**Subject:** FW: 1748 Lake breeze

-----Original Message-----

From: Yancey, Jared  
Sent: Thursday, April 22, 2021 3:51 PM  
To: McDowell, Russell <rmcdowell@rockwall.com>; Foshee, Craig <cfoshee@rockwall.com>  
Subject: 1748 Lake breeze

The height on the structure is 15'7" from the backyard height. 19'9" from the existing retaining wall on edge of property.  
Square footage is 330 ft.<sup>2</sup> for the downstairs, upstairs square footage is 240ft.<sup>2</sup> as to which the roofline meets the floor of attic area

Jared Yancey  
469-797-3436  
Building Inspections

---

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## Gonzales, David

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**From:** Gonzales, David  
**Sent:** Thursday, May 13, 2021 9:57 AM  
**To:** 'Mark Klecha'  
**Cc:** Miller, Ryan  
**Subject:** RE: P&Z Work Session Next Week

Good morning Mark,

What time would you like to meet? Give me a couple of options or a range of time so that I can schedule this.

Thank you,



**DAVID GONZALES, AICP**

PLANNING & ZONING MANAGER  
PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6488 OFFICE  
[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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**From:** Mark Klecha [mailto:markklecha@hotmail.com]  
**Sent:** Wednesday, May 12, 2021 12:44 PM  
**To:** Gonzales, David  
**Cc:** Miller, Ryan  
**Subject:** Re: P&Z Work Session Next Week

Good Afternoon Gent's,

Yesterday didn't go as I had hoped. Ignorance is definitely not bliss in this situation! And I do appreciate your guidance and patience during this process. Hasn't been easy.

I do have a lot of questions moving forward. Obviously I can't begin anything until City Council finishes their portion. I do want to set up another sit down meeting with you guys to clear up some inconsistencies in the initial SUP with the original drawing vs the updated plot and structure design that are both annotated and approved in the current SUP. Just want to bounce some ideas off of you both to see if we can come to an understanding on the pop out portion.

Thanks!

-Mark

On May 4, 2021, at 8:43 AM, Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:



You're welcome. We certainly want to represent what is actually existing on the property.

Thank you for your cooperation,

**DAVID GONZALES, AICP**

PLANNING & ZONING MANAGER

PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6488 OFFICE

[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)

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**From:** Mark Klecha [<mailto:markklecha@hotmail.com>]

**Sent:** Monday, May 3, 2021 3:51 PM

**To:** Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)>

**Cc:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>

**Subject:** Re: P&Z Work Session Next Week

Thank You!

I'm glad we got that corrected and I realize my mistake on where I measured it from. This is a little easier to talk through with the committee at 16'6" than 19'9"!

I appreciate you having Rusty and Jared come out to verify it.

-Mark

On May 3, 2021, at 3:02 PM, Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Mark,

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Thank you,



## DAVID GONZALES, AICP

PLANNING & ZONING MANAGER

PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6488 OFFICE

[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)

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**From:** Mark Klecha [<mailto:markklecha@hotmail.com>]

**Sent:** Friday, April 30, 2021 12:38 PM

**To:** Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)>

**Cc:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>

**Subject:** Re: P&Z Work Session Next Week

Afternoon Gentlemen,

I need some clarity from you both. This letter from your inspector said the structure is 15'7" from the "backyard" and 19'9" from the "existing retaining wall" which is not the base of where the structure begins. I went and measured everything just now (see attached photos) and 19'9" is grossly inaccurate. Unless you are telling me the measurement for the structure begins at the bottom of the new retaining wall?? That was not where I was told by your office the measurement is taken from. You said from the base of the structure (ie from the concrete slab where the walls are attached)?

Going off of your definition, the structure is exactly 16' 7" tall. And when we discussed the other day in your office, I realized my mistake on the plane from which I measured from when I built the ridge beam wall. I measured from the sidewalk height (which is 14" taller than the base of the concrete slab. So if you do the math, 199-14 puts me at 185" which equals ~15'4". The new retaining wall is ~43" tall, and if you do that math, 199+43 = 242 or 20'1". So the only way I can see the 19'9" measurement is if you include the retaining wall height, which is not where the structure begins???

So I was almost spot on from where I thought I was supposed to measure from. I was incorrect in my measurement source, but even at 16'7", I am nowhere near 19'9"??

So why are we using the 19'9" measurement? That has a huge impact on how the council may vote on this and I want to ensure the correct measurements are being referenced.

Am I missing something or off on my understanding??

-Mark



On Apr 27, 2021, at 2:29 PM, Gonzales, David  
<[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Mark,

Please find attached the revised draft SUP ordinance that now has the updated elevations that you've provided. I will provide copies to the Planning and Zoning Commission for tonight's meeting.

See you at the meeting tonight.

Thank you,

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I just wanted to add some updated plans that show the current status of the structure. I know we have actual pictures, but wanted to back them up with some updated hand drawn fixes as best I could. Not sure if they are necessary?

-Mark



On Apr 23, 2021, at 2:56 PM, Gonzales, David  
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Mark,

Please find attached staff's comments for your request. The Planning Commission will be conducting a work session next week on Tuesday, April 27, 2021. As the applicant, you will be presenting your case before the commission to discuss your project and receive feedback. The Planning and Zoning Commission meeting is scheduled for 6:00 p.m. in the City's Council Chambers. Please be sure that you and/or your representative(s) are present to answer any questions the Commission may have regarding your request.

Please see dates for all meetings in staff comments.

Do not hesitate to contact me should you have any questions.

Thank you,

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## Gonzales, David

---

**From:** Gonzales, David  
**Sent:** Tuesday, April 20, 2021 11:21 AM  
**To:** Foshee, Craig; McDowell, Russell  
**Cc:** Ryan Miller  
**Subject:** 1748 Lake Breeze Drive - Accessory Structure

Craig/Rusty,

When you have a chance, I need the measurements for the accessory structure at 1748 Lake Breeze (i.e. overall height to top of ridge and area of the entire structure). This information is to tie down the SUP Ordinance with what is currently built.

Let me know if you need anything else from me. I appreciate your help with this.

Thank you,



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## Gonzales, David

---

**From:** Gamez, Angelica  
**Sent:** Friday, April 23, 2021 3:34 PM  
**Cc:** Miller, Ryan; Gonzales, David; Lee, Henry  
**Subject:** Neighborhood Notification Program [Z2021-010]  
**Attachments:** Public Notice (04.27.2021).pdf; HOA Map Z2021-010.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

HOA/Neighborhood Association Representative:

Per your participation in the *Neighborhood Notification Program*, you are receiving this notice to inform your organization that a zoning case has been filed with the City of Rockwall that is located within 1,500-feet of the boundaries of your neighborhood. As the contact listed for your organization, you are encouraged to share this information with the residents of your subdivision. Please find the attached map detailing the property requesting to be rezoned in relation to your subdivision boundaries. Additionally, below is the summary of the zoning case that will be published in the Rockwall Herald Banner on *April 23, 2021*. The Planning and Zoning Commission will hold a public hearing on *Tuesday, May 11, 2021 at 6:00 PM*, and the City Council will hold a public hearing on *Monday, May 17, 2021 at 6:00 PM*. Both hearings will take place at 6:00 PM at City Hall, 385 S. Goliad, Rockwall, TX 75087.

All interested parties are encouraged to submit public comments via email to [Planning@rockwall.com](mailto:Planning@rockwall.com) at least 30 minutes in advance of the meeting. Please include your name, address, and the case number your comments are referring to. These comments will be read into the record during each of the public hearings. Additional information on all current development cases can be found on the City's website:  
<https://sites.google.com/site/rockwallplanning/development/development-cases>.

### Z2021-010 SUP for Accessory Structure

Hold a public hearing to discuss and consider a request by Mark Klecha for the approval of a *Specific Use Permit (SUP)* superseding *Ordinance No. 20-34* and allowing an accessory building that does not conform to *S-231 [Ordinance No. 20-34]* on a 0.2297-acre parcel of land identified as Lot 6, Block O, Hillcrest Shores Addition, City of Rockwall, Rockwall County, Texas, zoned Planned Development District 11 (PD-11) for Single-Family 10 (SF-10) District land uses, addressed as 1748 Lake Breeze Drive, and take any action necessary.

Thank you,

*Angelica Gamez*

Planning & Zoning Coordinator  
City of Rockwall  
972.771.7745 Office  
972.772.6438 Direct  
<http://www.rockwall.com/planning/>



## Gonzales, David

---

**From:** Foshee, Craig  
**Sent:** Monday, April 19, 2021 4:53 PM  
**To:** Gonzales, David  
**Subject:** 1748 Lakebreeze photo set.pdf  
**Attachments:** 1748 set.pdf

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## Gonzales, David

---

**From:** Gonzales, David  
**Sent:** Tuesday, May 4, 2021 8:43 AM  
**To:** 'Mark Klecha'  
**Cc:** Miller, Ryan  
**Subject:** RE: P&Z Work Session Next Week

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Thank you for your cooperation,



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**From:** Mark Klecha [<mailto:markklecha@hotmail.com>]  
**Sent:** Monday, May 3, 2021 3:51 PM  
**To:** Gonzales, David  
**Cc:** Miller, Ryan  
**Subject:** Re: P&Z Work Session Next Week

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I appreciate you having Rusty and Jared come out to verify it.

-Mark

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Please see dates for all meetings in staff comments.

Do not hesitate to contact me should you have any questions.

Thank you,

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## Gonzales, David

---

**From:** Gonzales, David  
**Sent:** Friday, May 14, 2021 8:38 AM  
**To:** 'Mark Klecha'  
**Cc:** Miller, Ryan  
**Subject:** RE: P&Z Work Session Next Week

Yes, same time in the City's Council Chambers (*i.e.* 6:00 PM).

Thank you,



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**From:** Mark Klecha [mailto:markklecha@hotmail.com]  
**Sent:** Thursday, May 13, 2021 7:03 PM  
**To:** Gonzales, David  
**Cc:** Miller, Ryan  
**Subject:** Re: P&Z Work Session Next Week

Yes, I will be there. Is it at 1800 like the zoning meetings were or at a different time?

-Mark

On May 13, 2021, at 4:05 PM, Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Mark,

I just wanted to check with you regarding next week's public hearing before the City Council. With your schedule, will you be at the meeting next week on Monday, May 17th? With this being a public hearing, you are required to be present (or a representative).

Thank you,

**DAVID GONZALES, AICP**

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**From:** Gonzales, David  
**Sent:** Thursday, May 13, 2021 11:44 AM  
**To:** 'Mark Klecha' <[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>  
**Cc:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Subject:** RE: P&Z Work Session Next Week

Ok, thank you.

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**From:** Mark Klecha [<mailto:markklecha@hotmail.com>]  
**Sent:** Thursday, May 13, 2021 11:43 AM  
**To:** Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)>  
**Cc:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Subject:** Re: P&Z Work Session Next Week

Morning Sir!

Let me see how my schedule looks. I have a bunch of flying on the books tomorrow and into next week.  
So maybe something mid-week next week?

Let me see and I'll get back with you.

Thanks David.

-Mark

On May 13, 2021, at 9:57 AM, Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Good morning Mark,

What time would you like to meet? Give me a couple of options or a range of time so that I can schedule this.

Thank you,

**DAVID GONZALES, AICP**  
PLANNING & ZONING MANAGER



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**From:** Mark Klecha [<mailto:markklecha@hotmail.com>]  
**Sent:** Wednesday, May 12, 2021 12:44 PM  
**To:** Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)>  
**Cc:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Subject:** Re: P&Z Work Session Next Week

Good Afternoon Gent's,

Yesterday didn't go as I had hoped. Ignorance is definitely not bliss in this situation! And I do appreciate your guidance and patience during this process. Hasn't been easy.

I do have a lot of questions moving forward. Obviously I can't begin anything until City Council finishes their portion. I do want to set up another sit down meeting with you guys to clear up some inconsistencies in the initial SUP with the original drawing vs the updated plot and structure design that are both annotated and approved in the current SUP. Just want to bounce some ideas off of you both to see if we can come to an understanding on the pop out portion.

Thanks!

-Mark

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Afternoon Gentlemen,

I need some clarity from you both. This letter from your inspector said the structure is 15'7" from the "backyard" and 19'9" from the "existing retaining wall" which is not the base of where the structure begins. I went and measured everything just now (see attached photos) and 19'9" is grossly inaccurate. Unless you are telling me the measurement for the structure begins at the bottom of the new retaining wall?? That was not where I was told by your office the measurement is taken from. You said from the base of the structure (ie from the concrete slab where the walls are attached)?

Going off of your definition, the structure is exactly 16'7" tall. And when we discussed the other day in your office, I realized my mistake on the plane from which I measured from when I built the ridge beam wall. I measured from the sidewalk height (which is 14" taller than the base of the concrete slab. So if you do the math, 199-14 puts me at 185" which equals ~15'4". The new retaining wall is ~43" tall, and if you do that math, 199+43 = 242 or 20'1". So the only way I can see the 19'9" measurement is if you include the retaining wall height, which is not where the structure begins???

So I was almost spot on from where I thought I was supposed to measure from. I was incorrect in my measurement source, but even at 16'7", I am nowhere near 19'9"??



So why are we using the 19'9" measurement? That has a huge impact on how the council may vote on this and I want to ensure the correct measurements are being referenced.

Am I missing something or off on my understanding??

-Mark

On Apr 27, 2021, at 2:29 PM, Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Mark,

Please find attached the revised draft SUP ordinance that now has the updated elevations that you've provided. I will provide copies to the Planning and Zoning Commission for tonight's meeting.

See you at the meeting tonight.

Thank you,

**DAVID GONZALES, AICP**  
PLANNING & ZONING MANAGER  
PLANNING & ZONING DIVISION • CITY OF  
ROCKWALL  
972.772.6488 OFFICE  
[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)  
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**From:** Mark Klecha  
[\[mailto:markklecha@hotmail.com\]](mailto:markklecha@hotmail.com)  
**Sent:** Friday, April 23, 2021 5:19 PM



**To:** Gonzales, David  
<[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)>  
**Subject:** Re: P&Z Work Session Next Week

Thank You David!

I just wanted to add some updated plans that show the current status of the structure. I know we have actual pictures, but wanted to back them up with some updated hand drawn fixes as best I could. Not sure if they are necessary?

-Mark

On Apr 23, 2021, at 2:56 PM, Gonzales, David  
<[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Mark,

Please find attached staff's comments for your request. The Planning Commission will be conducting a work session next week on Tuesday, April 27, 2021. As the applicant, you will be presenting your case before the commission to discuss your project and receive feedback. The Planning and Zoning Commission meeting is scheduled for 6:00 p.m. in the City's Council Chambers. Please be



sure that you and/or  
your representative(s)  
are present to answer  
any questions the  
Commission may have  
regarding your request.

Please see dates for all  
meetings in staff  
comments.

Do not hesitate to  
contact me should you  
have any questions.

Thank you,

**DAVID  
GONZALES, AICP**  
PLANNING & ZONING  
MANAGER  
PLANNING & ZONING  
DIVISION • CITY OF  
ROCKWALL  
972.772.6488 OFFICE  
[DGONZALES@ROCKWALL.CO  
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## Gonzales, David

---

**From:** Miller, Ryan  
**Sent:** Monday, April 19, 2021 2:32 PM  
**To:** Gonzales, David  
**Subject:** FW: APPROVED 1748 LAKE BREEZE PLAN SET (1).pdf  
**Attachments:** APPROVED 1748 LAKE BREEZE PLAN SET (1).pdf



**RYAN C. MILLER, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6441 OFFICE  
RMILLER@ROCKWALL.COM  
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**From:** Foshee, Craig  
**Sent:** Monday, April 19, 2021 1:53 PM  
**To:** Miller, Ryan  
**Subject:** APPROVED 1748 LAKE BREEZE PLAN SET (1).pdf

Attached are the approved plans per the SUP. And it states on the front sheet "Building is to be built per the approved plans from the Planning & Zoning Commission and City Council.

Thank you,

Craig Foshee  
Plans Examiner  
Building Inspection  
City of Rockwall

---

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## Gonzales, David

---

**From:** Gonzales, David  
**Sent:** Friday, May 7, 2021 4:58 PM  
**To:** 'Mark Klecha'  
**Subject:** P&Z Public Hearing Next Week  
**Attachments:** Packet [P&Z] (05.11.2021).pdf

Mr. Klecha

Please find attached staff's report regarding your zoning request. The Planning Commission will be conducting a Public Hearing next week on Tuesday, May 11, 2021. The Planning and Zoning Commission meeting is scheduled to begin at 6:00 p.m. in the City's Council Chambers. Please be sure that you and/or your representative(s) are present to answer any questions the Commission may have regarding your request.

The public hearing before the City Council is scheduled for May 17, 2021 (*1<sup>st</sup> Reading of the Ordinance*). You will need to be present for this meeting also.

Do not hesitate to contact me should you have any questions.

Thank you,



**DAVID GONZALES, AICP**

PLANNING & ZONING MANAGER

PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6488 OFFICE

[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)

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## Gonzales, David

---

**From:** Gonzales, David  
**Sent:** Friday, April 23, 2021 2:54 PM  
**To:** 'markklecha@hotmail.com'  
**Subject:** P&Z Work Session Next Week  
**Attachments:** Packet [WS] (04.27.2021).pdf

Mark,

Please find attached staff's comments for your request. The Planning Commission will be conducting a work session next week on Tuesday, April 27, 2021. As the applicant, you will be presenting your case before the commission to discuss your project and receive feedback. The Planning and Zoning Commission meeting is scheduled for 6:00 p.m. in the City's Council Chambers. Please be sure that you and/or your representative(s) are present to answer any questions the Commission may have regarding your request.

Please see dates for all meetings in staff comments.

Do not hesitate to contact me should you have any questions.

Thank you,



**DAVID GONZALES, AICP**

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## Gonzales, David

---

**From:** Miller, Ryan  
**Sent:** Wednesday, April 28, 2021 8:44 AM  
**To:** Gonzales, David  
**Subject:** FW:  
**Attachments:** Upstairs Acc..jpg; First Floor.jpg



**RYAN C. MILLER, AICP**

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**From:** McDowell, Russell  
**Sent:** Tuesday, April 27, 2021 3:52 PM  
**To:** Miller, Ryan  
**Subject:**

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## Gonzales, David

---

**From:** Miller, Ryan  
**Sent:** Wednesday, April 28, 2021 8:40 AM  
**To:** Gonzales, David  
**Subject:** FW:  
**Attachments:** WALL.jpg



**RYAN C. MILLER, AICP**

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**From:** McDowell, Russell  
**Sent:** Tuesday, April 27, 2021 4:45 PM  
**To:** Miller, Ryan  
**Subject:**

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**Gonzales, David**

---

**From:** Mark Klecha <markklecha@hotmail.com>  
**Sent:** Thursday, April 15, 2021 4:08 PM  
**To:** Miller, Ryan  
**Subject:** Re: Project Comments: Z2020-030

Copy all Ryan. Here are the exterior photos.

See you in the morning.

-Mark























On Apr 15, 2021, at 1:48 PM, Miller, Ryan wrote:

Mark ... Email is fine. Thanks.

**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION • CITY OF ROCKWALL

972.772.6441 OFFICE

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**From:** Mark Klecha

**Sent:** Thursday, April 15, 2021 12:13 PM

**To:** Miller, Ryan

**Subject:** Re: Project Comments: Z2020-030

Ryan,

For the meeting tomorrow, do I need to have the pictures printed out? Or can I email them to you?

Thanks,

Mark

On Apr 15, 2021, at 10:33 AM, Mark Klecha <[markklecha@hotmail.com](mailto:markklecha@hotmail.com)> wrote:

Hello Ryan,

Just called and left a message but wanted to leave an email as well. I was at work yesterday and the inspector stopped by to check the electrical work on our accessory shop, so I was unable to talk with him directly. While the inspector was there he checked the structure and found some discrepancies and failed me on the structure portion. One big one is the height of the structure (which I already have shingled and completed). Not sure if I misunderstood where to measure from, but that one has me nervous because that is a lot of work to change. Just have some questions about how to move forward.

Thanks Ryan.

-Mark



On Dec 30, 2020, at 2:49 PM, Mark Klecha <[markklecha@hotmail.com](mailto:markklecha@hotmail.com)> wrote:

Thanks Ryan! I forgot you are in the zoning world...thanks for the assist.  
Hello again Craig!  
-Mark

On Dec 30, 2020, at 2:44 PM, Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)> wrote:

Mark ... I am going to turn you over to Mr. Foshee in the permitting department. This whole thing is up his alley, but based on everything you stated I think you would just need a permit for the porch. I don't think we would have an issue with you wrapping everything up at once. As always if you need anything, please let me know. Thanks.

**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING &  
ZONING DIVISION • CITY OF ROCKWALL

972.772.6441 OFFICE

[RMILLER@ROCKWALL.COM](mailto:RMILLER@ROCKWALL.COM)

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**From:** Mark Klecha <[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>

**Sent:** Wednesday, December 30, 2020 2:09 PM

**To:** Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>

**Subject:** Re: Project Comments: Z2020-030

Hey Ryan,

Hope you and the family had a great Christmas break!

Long email inbound...

Had a question for you. But first a quick update. I finally got the building almost up. I've been fighting this rain trying to keep it dry since I couldn't get the roof up yet. Had to wait for awhile for lumber prices to come back down to earth. While we were going through the SUP process, the prices almost tripled! Still ended up paying



about double, but had to get this thing going. Definitely hurt the budget though.

Okay, so we would like to add a porch to the front of our house. It would be roughly 35' wide and come out 8'. I would pour a concrete slab (I'm getting really good at concrete by the way), have four concrete columns 4' into the ground, use square metal posts (wrapped in wood) for the supports and then just a simple porch roof with standing seam metal roof. I'd attached the roof to the front of the house via a ledger board that would be sleeve anchored/bolted into the brick wall. I need to know what would be required for the permit? Would that require another engineer stamp or just a concrete and porch type permit?

I know I have multiple permits going. It's an unfortunate reality...and here's my dilemma. In order to finish my retaining wall stone work, I need to remove the stone from my planter wall in front of the house to reuse that stone. And I also need the brick from the walkway to use in order to put that on the accessory building front to help it match the rest of my house. So I can accomplish all of that while building the porch and minimize the eyesore of all my stone and brick being torn up. Then I could finalize all of the permit inspections at about the same time.

Did I lose you?! How should I attack this mountain?

Thanks!

-Mark

On Aug 24, 2020, at 9:00 AM, Miller,  
Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)> wrote:

Mark ... This will work. Please submit a copy of this to Craig in the Building Inspections Department so that it can be a part of your permit. Thanks.

**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING •  
PLANNING & ZONING DIVISION • CITY  
OF ROCKWALL

972.772.6441 OFFICE

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**From:** Mark Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>  
**Sent:** Sunday, August 23, 2020 2:21 PM  
**To:** Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Subject:** Re: Project Comments: Z2020-030  
Ryan,

I was not expecting this fast of a turn around, but he was able to push my to the front of the line apparently. Can you please review and let me know if you see any issue with the current letter? It hits everything your asking, but I just want to make sure!

> On Aug 22, 2020, at 10:33 AM, Mark Klecha <[markklecha@hotmail.com](mailto:markklecha@hotmail.com)> wrote:

>

> Copy all! Thanks Ryan

>

>>> On Aug 22, 2020, at 9:10 AM, Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)> wrote:

>> Mark ... Your structural should be familiar with the type of letter we are looking for. Basically, it needs to state 1) that the retaining wall was constructed to City standards, 2) that the retaining wall, slab and building poses no risk to structurally undermine the adjacent retaining wall, and 3) that the slab and retaining wall were constructed to a standard that can support the weight of the proposed



building. We will need him to also sign and seal the letter. The reason it is probably so expensive is because once he provides you this letter he basically takes liability for the design of the wall and slab. This is why the City requires a engineered plans for all walls greater than three (3) feet. If you have any additional questions please let me know. Thanks.

>> Ryan C. Miller, AICP

>> Director of Planning and Zoning

>> Planning and Zoning Department

>> City of Rockwall, Texas

>> Please excuse any errors, this was sent from my mobile device.

>> ----- Original message -----

>> From: Mark Klecha

<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>

>> Date: 8/22/20 7:16 AM (GMT-06:00)

>> To: "Miller, Ryan"

<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>

>> Subject: Re: Project Comments:  
Z2020-030

>> Ryan,

>> I'm working with the engineer and I want to ensure the engineer letter has the verbiage correct (since this letter is costing me \$500). What exactly are you guys looking for? Is there a specific way he must talk about the retaining wall, slab and structure? Do you happen to have an example so I can ensure I am meeting the cities requirements the first time around?

>> Thanks!

>> -Mark

>>>> On Aug 17, 2020, at 10:20 PM,  
Mark Klecha

<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)> wrote:

>>> Awesome! I'll get going on my engineer letter and standby for the final vote. I will be there just in case anything pops up.

>>> -Mark

>>>>> On Aug 17, 2020, at 8:35 PM,  
Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
wrote:

>>>> Mark ... No worries. Yes you were approved tonight and most of the debate had nothing to do with your request. Because you had one



dissenting vote, your item will be on the actions items at the next City Council meeting; however, the item will not be discussed and the vote should be the same. I cannot tell you not to be there but it is very atypical for them to ask an applicant back up or for them to change their vote. Once the second reading has taken place we can get you a building permit as soon as we have the engineers letter. If you have any additional questions please let me know. Thanks.

>>>> Ryan C. Miller, AICP

>>>> Director of Planning and Zoning

>>>> Planning and Zoning Department

>>>> City of Rockwall, Texas

>>>> Please excuse any errors, this was sent from my mobile device.

>>>> ----- Original message -----

>>>> From: Mark Klecha

<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>

>>>> Date: 8/17/20 7:02 PM (GMT-06:00)

>>>> To: "Miller, Ryan"

<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>

>>>> Subject: Re: Project Comments: Z2020-030

>>>> Ryan,

>>>> First off, I am sorry for starting that food fight! I'm a military pilot (now government civilian pilot), so as much as I enjoy a good break turn and fight, I kept my mouth shut as much as I could. It appears I just happened to be that guy who got caught in that debate tonight.

>>>> So that vote means it will be approved? Or is there more coming on the 8 September meeting? I ask because the structural engineer I am working with said he is 3-4 weeks out so I would like to engage with him sooner rather than later to get my plans/drawing approved. If I need to wait, no worries...just trying to lead turn this if I can.

>>>> Thanks again for the help through all of this. I've learned a lot!

>>>> -Mark

>>>>> On Aug 12, 2020, at 12:51 PM, Mark Klecha



<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)> wrote:

>>>>

>>>> No worries! It'll be nice when I can have my front yard back 😊

>>>> See ya Monday...

>>>> -Mark

>>>>> On Aug 12, 2020, at 12:08 PM, Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)> wrote:

>>>>

>>>> Mark ... The zoning sign will need to stay until after the public hearing this coming Monday for City Council. The City Council public hearing will be an identical format to the Planning and Zoning Commission format. I don't anticipate that the City Council will have a different outcome from the Planning and Zoning Commission (but since it is discretionary to the City Council, I can't say for sure). Let me know if you have any additional questions, otherwise I will see you Monday night. Thanks.

>>>>

>>>> Ryan C. Miller, AICP

>>>> DIRECTOR OF Planning & ZONING

• Planning & Zoning Division • City of Rockwall

>>>> 972.772.6441 Office

>>>>

[rmiller@rockwall.com](mailto:rmiller@rockwall.com)<<mailto:rmiller@rockwall.com>>

>>>> 385 S. Goliad Street • Rockwall, TX 75087

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Website<<http://www.rockwall.com/>> |

Planning & Zoning Division

Website<<http://www.rockwall.com/Planning/index.asp>> | Municipal Code

Website<<http://library.municode.com/index.aspx?clientId=14830&stateID=43&statename=Texas>>

>>>> GIS Division

Website<<http://www.rockwall.com/gis/index.asp>> | City of Rockwall Interactive

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CODE<<http://www.rockwall.com/pz/Planning/Documents/Unified%20Develop>



[ment%20Code%20\(UDC\).pdf>](#)

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MAY BECOME PUBLIC RECORD

>>>> From: Mark Klecha

[<markklecha@hotmail.com>](mailto:markklecha@hotmail.com)

>>>> Sent: Tuesday, August 11, 2020  
9:07 PM

>>>> To: Miller, Ryan

[<RMiller@rockwall.com>](mailto:RMiller@rockwall.com)

>>>> Subject: Re: Project Comments:  
Z2020-030

>>>> Ryan,

>>>> Forgot to ask about the zoning  
sign in my front yard. I assume you guys  
take it now that the public hearing is  
complete?

>>>> Tonight's meeting was more  
adventurous than I thought it would be!  
Thank You for presenting the  
information.

>>>> Next meeting is Monday, the 17th.  
What can I expect for that one?

>>>> -Mark

>>>>> On Jul 24, 2020, at 2:10 PM,

Mark Klecha

[<markklecha@hotmail.com](mailto:markklecha@hotmail.com)[<mailto:markklecha@hotmail.com>](mailto:markklecha@hotmail.com)>> wrote:

>>>>

>>>> Perfect! That's the answer I was  
looking for. I got a little concerned that I  
needed to have an engineer stamp by  
the 4 August deadline.

>>>> I will let this process flow and take  
it step by step.

>>>> Thanks!

>>>> -M

>>>>> On Jul 24, 2020, at 1:11 PM,

Miller, Ryan

[<RMiller@rockwall.com](mailto:RMiller@rockwall.com)[<mailto:RMiller@rockwall.com>](mailto:RMiller@rockwall.com)>> wrote:

>>>>

>>>> Mark ... I would not initiate an  
engineer until you have the SUP (i.e. the  
entitlement) to build the structure.



Once you have the approved SUP it will depend on when you initiate the structural engineer on: [1] if you don't adjust the setbacks to meet the requirements you would need to go to the Board of Adjustments (BOA) first and so I would initiate the engineer until after that process, or [2] if you adjust the setbacks you would then engage the engineer and provide the letter as part of your building permit. If you have any additional questions please let me know. Thanks.

>>>>

>>>> Ryan C. Miller, AICP

>>>> DIRECTOR OF Planning & ZONING

• Planning & Zoning Division • City of Rockwall

>>>> 972.772.6441 Office

>>>>

[rmiller@rockwall.com](mailto:rmiller@rockwall.com)<mailto:rmiller@rockwall.com>

>>>> 385 S. Goliad Street • Rockwall, TX 75087

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Website<<http://library.municode.com/index.aspx?clientID=14830&stateID=43&statename=Texas>>

>>>> GIS Division

Website<<http://www.rockwall.com/gis/index.asp>> | City of Rockwall Interactive

Maps<<https://rockwall.maps.arcgis.com/apps/webappviewer/index.html?id=08e04181992e4040980ba6ae2cd667b1>> |

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>>>> From: Mark Klecha

<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)<<mailto:markklecha@hotmail.com>>>

>>>> Sent: Friday, July 24, 2020 11:25 AM

>>>> To: Miller, Ryan

<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)<<mailto:RMiller@rockwall.com>>>

>>>> Subject: Re: Project Comments: Z2020-030

>>>> Ryan,

>>>> Quick update...I don't have anybody here that I can call in as my representative. And nobody will answer questions or defend my application better than I, so I had to move my trip around in order to be there Tuesday.

>>>> Also, with respect to the structural engineer requirements, when do I need to have that approved and stamped by the engineer? Is it after the SUP process and during the building permit process or do I need to have this by a specific date? I ask because the few engineers I've reached out to currently are 3-4 weeks out before I can get the plans looked at and approved.

>>>> -Mark

>>>>> On Jul 24, 2020, at 9:09 AM, Miller, Ryan

<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)<<mailto:RMiller@rockwall.com>>> wrote:

>>>>

>>>> Mark ... I will update everything denoting the removed structure. With regard to not making the meeting, I will pass along your email to the Planning and Zoning Commission; however, if you can have someone there it is highly encouraged. If you have any questions or additional concerns please let me know. Thanks.

>>>>

>>>> Ryan C. Miller, AICP

>>>> DIRECTOR OF Planning & ZONING  
• Planning & Zoning Division • City of Rockwall

>>>> 972.772.6441 Office

>>>>

[rmiller@rockwall.com](mailto:rmiller@rockwall.com)<<mailto:rmiller@rockwall.com>>



>>>> 385 S. Goliad Street • Rockwall, TX  
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Website<<http://library.municode.com/index.aspx?clientID=14830&stateID=43&statename=Texas>>

>>>> GIS Division

Website<<http://www.rockwall.com/gis/index.asp>> | City of Rockwall Interactive  
Maps<<https://rockwall.maps.arcgis.com/apps/webappviewer/index.html?id=08e04181992e4040980ba6ae2cd667b1>> |

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CODE<[http://www.rockwall.com/pz/Planning/Documents/Unified%20Development%20Code%20\(UDC\).pdf](http://www.rockwall.com/pz/Planning/Documents/Unified%20Development%20Code%20(UDC).pdf)>

>>>>

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>>>> From: Mark Klecha

<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)<<mailto:markklecha@hotmail.com>>>

>>>> Sent: Friday, July 24, 2020 8:51  
AM

>>>> To: Miller, Ryan

<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)<<mailto:RMiller@rockwall.com>>>

>>>> Subject: Re: Project Comments:  
Z2020-030

>>>> Mr. Miller,

>>>> Thank you for the information.  
Couple quick things and then I will get  
to work on my responses.

>>>> - I will be out of town next week  
helping my in-laws move from FL to  
Fort Worth. I wanted that to be on  
record in case it is looked down upon  
for me not being in attendance at the  
working group. I would be there, but I  
had this trip planned and paid for prior



to this SUP requirement and subsequent schedule of events.

>>>> - On the project comments page, M.7 mentions an existing structure. That is incorrect. I had a 8x12 shed on my property prior to getting a third driveway poured. That structure has been removed.

>>>> Warm Regards,

>>>> -Mark

>>>>> On Jul 24, 2020, at 7:55 AM, Miller, Ryan  
[RMiller@rockwall.com](mailto:RMiller@rockwall.com)  
[@rockwall.com](mailto:RMiller@rockwall.com)>> wrote:

>>>>

>>>> Mr. Klecha,

>>>> Attached are the project comments and draft ordinance for your Specific Use Permit (SUP) request. Please address all of the comments and read through the draft ordinance by August 4, 2020. The meeting schedule for your case is as follows:

>>>> P&Z Work Session: July 28, 2020

>>>> P&Z Public Hearing: August 11, 2020

>>>> City Council Public Hearing/First Reading: August 17, 2020

>>>> City Council Second Reading/Approval: September 8, 2020

>>>> All meetings will be held at 6:00 PM in the City Council Chambers at City Hall (i.e. 385 S. Goliad Street). It is required that someone be present at each of these meetings to represent your case. If you have any questions please let me know. Thanks.

>>>>

>>>> Ryan C. Miller, AICP

>>>> DIRECTOR OF Planning & ZONING

>>>> • Planning & Zoning Division • City of Rockwall

>>>> 972.772.6441 Office

>>>>

>>>> [rmiller@rockwall.com](mailto:rmiller@rockwall.com)  
[@rockwall.com](mailto:rmiller@rockwall.com)>

>>>> 385 S. Goliad Street • Rockwall, TX 75087

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Website<<http://library.municode.com/index.aspx?clientId=14830&stateID=43&statename=Texas>>

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Website<<http://www.rockwall.com/gis/index.asp>> | City of Rockwall Interactive

Maps<<https://rockwall.maps.arcgis.com/apps/webappviewer/index.html?id=08e04181992e4040980ba6ae2cd667b1>> |

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>>>>

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**Gonzales, David**

---

**From:** Mark Klecha <markklecha@hotmail.com>  
**Sent:** Friday, April 16, 2021 11:30 AM  
**To:** Miller, Ryan  
**Subject:** Re: Project Comments: Z2020-030

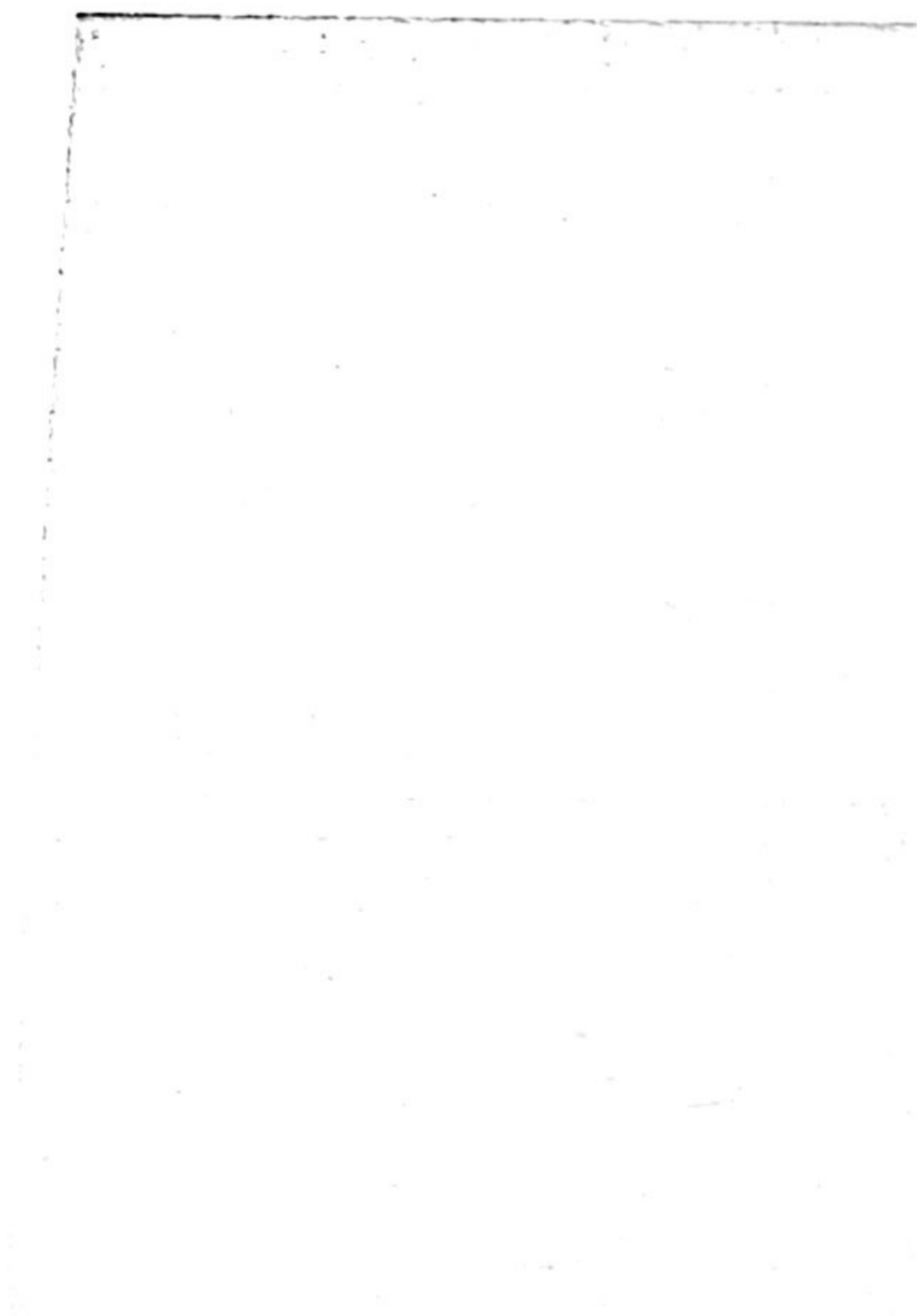
Thanks again Ryan. I wanted to send you these attachments with the updated plan you never received. I went back through all of our emails and found the email I sent that talked about the new design and plot (3 Aug 2020 email), but all that was attached was the updated plot showing the new floor plan. The new design drawings never made it through the email and I didn't realize you never received the updated drawings.

This is what that was and what I used to get me to this point. I'd like to have that available at the committee meeting so I can talk to it.

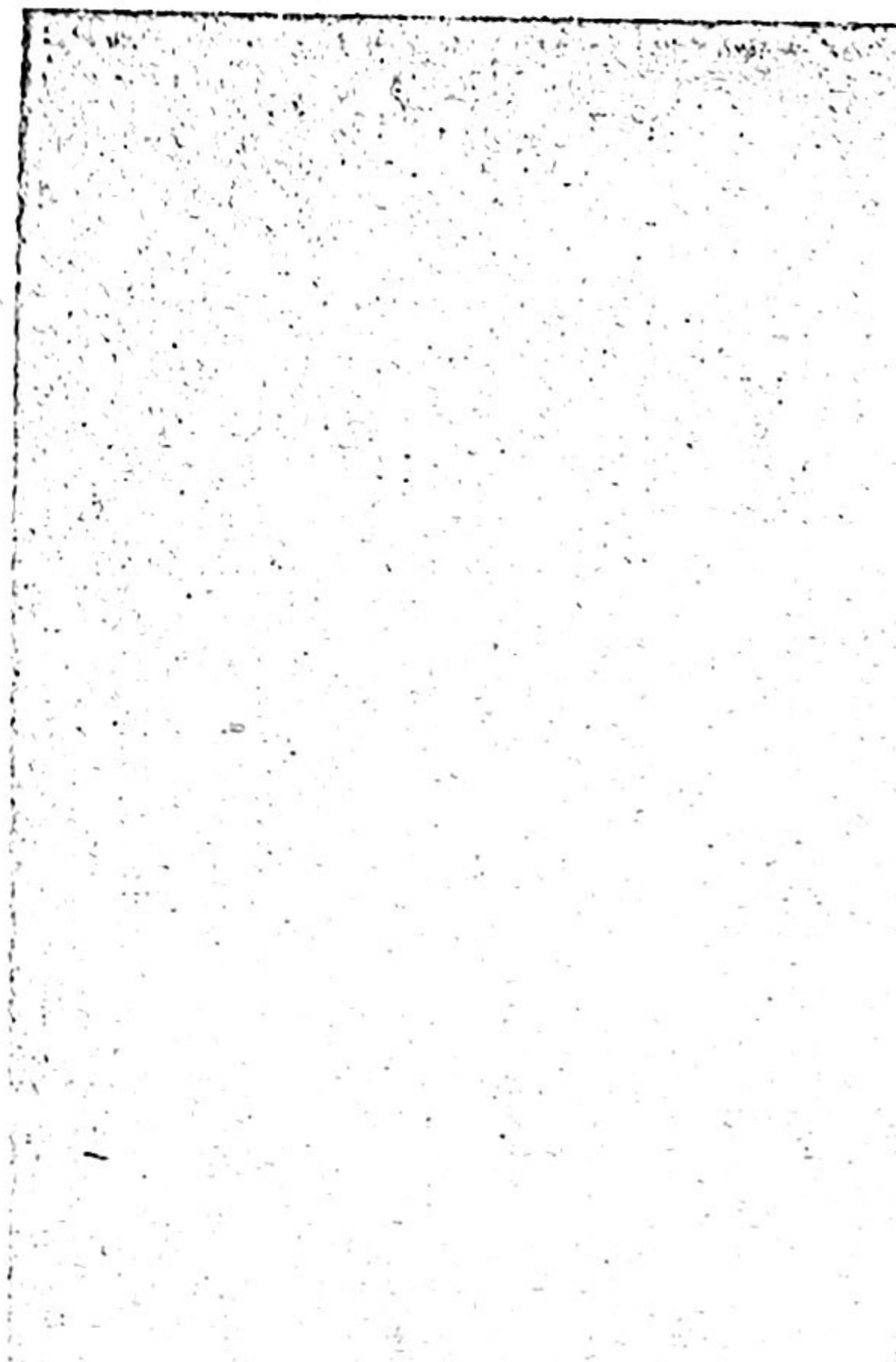
Thanks!

-Mark

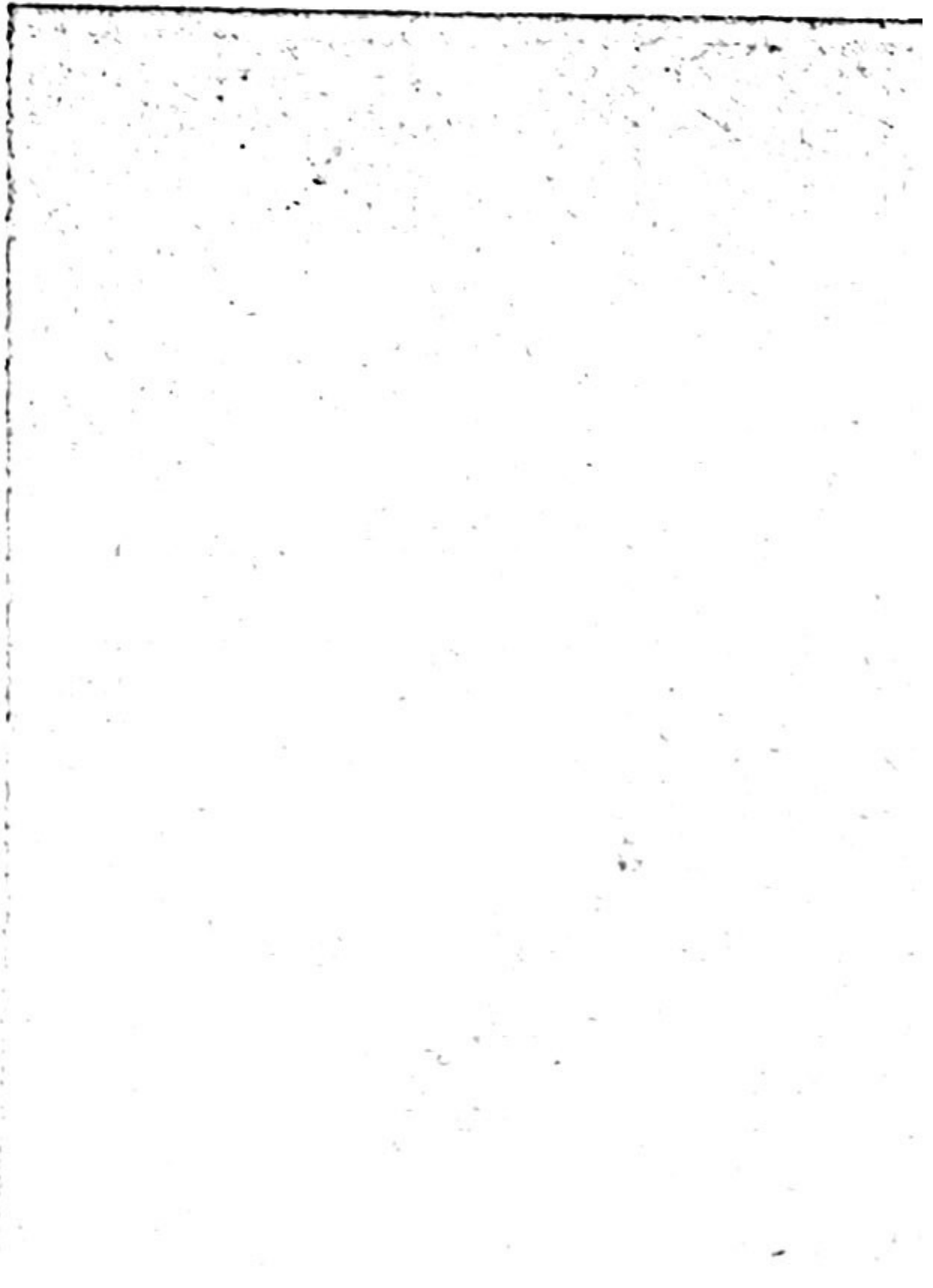














On Apr 15, 2021, at 4:08 PM, Mark Klecha wrote:

Copy all Ryan. Here are the exterior photos.

See you in the morning.

-Mark

On Apr 15, 2021, at 1:48 PM, Miller, Ryan wrote:

Mark ... Email is fine. Thanks.

**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING • PLANNING & ZONING DIVISION

• CITY OF ROCKWALL

972.772.6441 OFFICE

RMILLER@ROCKWALL.COM

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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---

**From:** Mark Klecha

**Sent:** Thursday, April 15, 2021 12:13 PM

**To:** Miller, Ryan

**Subject:** Re: Project Comments: Z2020-030

Ryan,

For the meeting tomorrow, do I need to have the pictures printed out? Or can I email them to you?

Thanks,

Mark

On Apr 15, 2021, at 10:33 AM, Mark Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)> wrote:



Hello Ryan,

Just called and left a message but wanted to leave an email as well. I was at work yesterday and the inspector stopped by to check the electrical work on our accessory shop, so I was unable to talk with him directly. While the inspector was there he checked the structure and found some discrepancies and failed me on the structure portion. One big one is the height of the structure (which I already have shingled and completed). Not sure if I misunderstood where to measure from, but that one has me nervous because that is a lot of work to change. Just have some questions about how to move forward.

Thanks Ryan.

-Mark

On Dec 30, 2020, at 2:49 PM, Mark Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)> wrote:

Thanks Ryan! I forgot you are in the zoning world...thanks for the assist.

Hello again Craig!

-Mark

On Dec 30, 2020, at 2:44 PM, Miller,  
Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)> wrote:

Mark ... I am going to turn you over to Mr. Foshee in the permitting department. This whole thing is up his alley, but based on everything you stated I think you would just need a permit for the porch. I don't think we would have an issue with you wrapping everything up at once. As always if you need anything, please let me know.  
Thanks.

**Ryan C. Miller, AICP**

DIRECTOR OF PLANNING & ZONING •  
PLANNING & ZONING DIVISION • CITY  
OF ROCKWALL

972.772.6441 OFFICE

[RMILLER@ROCKWALL.COM](mailto:RMILLER@ROCKWALL.COM)

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**From:** Mark Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>  
**Sent:** Wednesday, December 30, 2020  
2:09 PM  
**To:** Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
**Subject:** Re: Project Comments: Z2020-030

Hey Ryan,  
Hope you and the family had a great  
Christmas break! Long email inbound...  
Had a question for you. But first a quick  
update. I finally got the building almost  
up. I've been fighting this rain trying to  
keep it dry since I couldn't get the roof  
up yet. Had to wait for awhile for  
lumber prices to come back down to  
earth. While we were going through the  
SUP process, the prices almost tripled!  
Still ended up paying about double, but  
had to get this thing going. Definitely  
hurt the budget though.  
Okay, so we would like to add a porch  
to the front of our house. It would be  
roughly 35' wide and come out 8'. I  
would pour a concrete slab (I'm getting  
really good at concrete by the way),  
have four concrete columns 4' into the  
ground, use square metal posts  
(wrapped in wood) for the supports and  
then just a simple porch roof with  
standing seam metal roof. I'd attached  
the roof to the front of the house via a  
ledger board that would be sleeve  
anchored/bolted into the brick wall.  
I need to know what would be required  
for the permit? Would that require  
another engineer stamp or just a  
concrete and porch type permit?



I know I have multiple permits going.  
It's an unfortunate reality...and here's  
my dilemma. In order to finish my  
retaining wall stone work, I need to  
remove the stone from my planter wall  
in front of the house to reuse that  
stone. And I also need the brick from  
the walkway to use in order to put that  
on the accessory building front to help  
it match the rest of my house. So I can  
accomplish all of that while building the  
porch and minimize the eyesore of all  
my stone and brick being torn up. Then  
I could finalize all of the permit  
inspections at about the same time.  
Did I lose you?! How should I attack this  
mountain?  
Thanks!  
-Mark

On Aug 24, 2020, at  
9:00 AM, Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)  
> wrote:

Mark ... This will work.  
Please submit a copy of  
this to Craig in the  
Building Inspections  
Department so that it  
can be a part of your  
permit. Thanks.

**Ryan C. Miller, AICP**  
DIRECTOR OF  
PLANNING & ZONING •  
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---

**From:** Mark Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>

**Sent:** Sunday, August  
23, 2020 2:21 PM

**To:** Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>

**Subject:** Re: Project  
Comments: Z2020-030  
Ryan,

I was not expecting this  
fast of a turn around,  
but he was able to push  
my to the front of the  
line apparently. Can  
you please review and  
let me know if you see  
any issue with the  
current letter? It hits  
everything your asking,  
but I just want to make  
sure!

> On Aug 22, 2020, at  
10:33 AM, Mark Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>



[com](#)> wrote:

>

> Copy all! Thanks Ryan

>

>>> On Aug 22, 2020, at 9:10 AM, Miller, Ryan

<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)

> wrote:

>> Mark ... Your structural should be familiar with the type of letter we are looking for. Basically, it needs to state 1) that the retaining wall was constructed to City standards, 2) that the retaining wall, slab and building poses no risk to structurally undermine the adjacent retaining wall, and 3) that the slab and retaining wall were constructed to a standard that can support the weight of the proposed building. We will need him to also sign and seal the letter. The reason it is probably so expensive is because once he provides you this letter he basically takes liability for the design of the wall and slab. This is why the City requires a engineered plans for all walls greater than three (3) feet. If you have any additional questions please let me know. Thanks.

>> Ryan C. Miller, AICP

>> Director of Planning and Zoning

>> Planning and Zoning Department

>> City of Rockwall, Texas



>> Please excuse any errors, this was sent from my mobile device.

>> ----- Original message -----

>> From: Mark Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>

>> Date: 8/22/20 7:16 AM (GMT-06:00)

>> To: "Miller, Ryan"  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>

>

>> Subject: Re: Project Comments: Z2020-030

>> Ryan,

>> I'm working with the engineer and I want to ensure the engineer letter has the verbiage correct (since this letter is costing me \$500). What exactly are you guys looking for? Is there a specific way he must talk about the retaining wall, slab and structure? Do you happen to have an example so I can ensure I am meeting the cities requirements the first time around?

>> Thanks!

>> -Mark

>>>> On Aug 17, 2020, at 10:20 PM, Mark Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)> wrote:

>>> Awesome! I'll get going on my engineer letter and standby for the final vote. I will be there just in case anything pops up.

>>> -Mark

>>>>> On Aug 17, 2020, at 8:35 PM, Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)> wrote:

>>>>> Mark ... No



worries. Yes you were approved tonight and most of the debate had nothing to do with your request. Because you had one dissenting vote, your item will be on the actions items at the next City Council meeting; however, the item will not be discussed and the vote should be the same. I cannot tell you not to be there but it is very atypical for them to ask an applicant back up or for them to change their vote. Once the second reading has taken place we can get you a building permit as soon as we have the engineers letter. If you have any additional questions please let me know. Thanks.

>>>> Ryan C. Miller,  
AICP

>>>> Director of  
Planning and Zoning  
>>>> Planning and  
Zoning Department  
>>>> City of Rockwall,  
Texas

>>>> Please excuse any  
errors, this was sent  
from my mobile device.

>>>> ----- Original  
message -----

>>>> From: Mark  
Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>

>>>> Date: 8/17/20  
7:02 PM (GMT-06:00)  
>>>> To: "Miller, Ryan"  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
>

>>>> Subject: Re:  
Project Comments:  
Z2020-030



>>>> Ryan,  
>>>> First off, I am  
sorry for starting that  
food fight! I'm a  
military pilot (now  
government civilian  
pilot), so as much as I  
enjoy a good break turn  
and fight, I kept my  
mouth shut as much as  
I could. It appears I just  
happened to be that  
guy who got caught in  
that debate tonight.

>>>> So that vote  
means it will be  
approved? Or is there  
more coming on the 8  
September meeting? I  
ask because the  
structural engineer I am  
working with said he is  
3-4 weeks out so I  
would like to engage  
with him sooner rather  
than later to get my  
plans/drawing  
approved. If I need to  
wait, no worries...just  
trying to lead turn this  
if I can.

>>>> Thanks again for  
the help through all of  
this. I've learned a lot!

>>>> -Mark

>>>>> On Aug 12, 2020,  
at 12:51 PM, Mark  
Klecha

<[markklecha@hotmail.  
com](mailto:markklecha@hotmail.com)> wrote:

>>>>

>>>>> No worries! It'll be  
nice when I can have  
my front yard back 😊

>>>>> See ya Monday...

>>>>> -Mark

>>>>> On Aug 12, 2020,  
at 12:08 PM, Miller,  
Ryan

<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)  
> wrote:

>>>>>



>>>> Mark ... The zoning sign will need to stay until after the public hearing this coming Monday for City Council. The City Council public hearing will be an identical format to the Planning and Zoning Commission format. I don't anticipate that the City Council will have a different outcome from the Planning and Zoning Commission (but since it is discretionary to the City Council, I can't say for sure). Let me know if you have any additional questions, otherwise I will see you Monday night. Thanks.

>>>>

>>>> Ryan C. Miller,  
AICP

>>>> DIRECTOR OF  
Planning & Zoning •  
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Division • City of  
Rockwall

>>>> 972.772.6441

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[rmiller@rockwall.com](mailto:rmiller@rockwall.com)<  
<mailto:rmiller@rockwall.com>>

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Website<<http://library.rockwall.com/>>



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Interactive  
Maps<<https://rockwall.maps.arcgis.com/apps/webappviewer/index.html?id=08e04181992e4040980ba6ae2cd667b1>

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>>>> From: Mark  
Klecha  
<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)>

>>>> Sent: Tuesday,  
August 11, 2020 9:07  
PM

>>>> To: Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)>  
>

>>>> Subject: Re:  
Project Comments:  
Z2020-030

>>>> Ryan,



>>>> Forgot to ask about the zoning sign in my front yard. I assume you guys take it now that the public hearing is complete?

>>>> Tonight's meeting was more adventurous than I thought it would be! Thank You for presenting the information.

>>>> Next meeting is Monday, the 17th. What can I expect for that one?

>>>> -Mark

>>>>> On Jul 24, 2020, at 2:10 PM, Mark Klecha

<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)<<mailto:markklecha@hotmail.com>>>

wrote:

>>>>

>>>> Perfect! That's the answer I was looking for. I got a little concerned that I needed to have an engineer stamp by the 4 August deadline.

>>>> I will let this process flow and take it step by step.

>>>> Thanks!

>>>> -M

>>>>> On Jul 24, 2020, at 1:11 PM, Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)<<mailto:RMiller@rockwall.com>>> wrote:

>>>>

>>>> Mark ... I would not initiate an engineer until you have the SUP (i.e. the entitlement) to build the structure.

Once you have the approved SUP it will depend on when you initiate the structural



engineer on: [1] if you don't adjust the setbacks to meet the requirements you would need to go to the Board of Adjustments (BOA) first and so I would initiate the engineer until after that process, or [2] if you adjust the setbacks you would then engage the engineer and provide the letter as part of your building permit. If you have any additional questions please let me know. Thanks.

>>>>

>>>> Ryan C. Miller,  
AICP

>>>> DIRECTOR OF  
Planning & ZONING •  
Planning & Zoning  
Division • City of  
Rockwall

>>>> 972.772.6441  
Office

>>>>

[rmiller@rockwall.com](mailto:rmiller@rockwall.com)<  
<mailto:rmiller@rockwall.com>  
[l.com](mailto:rmiller@rockwall.com)>

>>>> 385 S. Goliad  
Street • Rockwall, TX  
75087

>>>>

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Website<<http://www.rockwall.com/>> |

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Division

Website<<http://www.rockwall.com/Planning/index.asp>> | Municipal

Code

Website<<http://library.municode.com/index.aspx?clientID=14830&stateID=43&statename=Texas>>

>>>> GIS Division



Website<<http://www.rockwall.com/gis/index.asp>> | City of Rockwall Interactive  
Maps<<https://rockwall.maps.arcgis.com/apps/webappviewer/index.html?id=08e04181992e4040980ba6ae2cd667b1>> | UNIFIED DEVELOPMENT CODE<[http://www.rockwall.com/pz/Planning/Documents/Unified%20Development%20Code%20\(UDC\).pdf](http://www.rockwall.com/pz/Planning/Documents/Unified%20Development%20Code%20(UDC).pdf)>

>>>>

>>>> NOTES

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>>>> 2) PLEASE NOTE THAT ANY CORRESPONDENCE SENT TO CITY STAFF MAY BECOME PUBLIC RECORD

>>>> From: Mark Klecha

<[markklecha@hotmail.com](mailto:markklecha@hotmail.com)<<mailto:markklecha@hotmail.com>>>

>>>> Sent: Friday, July 24, 2020 11:25 AM

>>>> To: Miller, Ryan <[RMiller@rockwall.com](mailto:RMiller@rockwall.com)<<mailto:RMiller@rockwall.com>>>

>>>> Subject: Re: Project Comments: Z2020-030

>>>> Ryan,

>>>> Quick update...I don't have anybody here that I can call in as my representative. And



nobody will answer questions or defend my application better than I, so I had to move my trip around in order to be there Tuesday.

>>>> Also, with respect to the structural engineer requirements, when do I need to have that approved and stamped by the engineer? Is it after the SUP process and during the building permit process or do I need to have this by a specific date? I ask because the few engineers I've reached out to currently are 3-4 weeks out before I can get the plans looked at and approved.

>>>> -Mark

>>>>> On Jul 24, 2020, at 9:09 AM, Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)  
<<mailto:RMiller@rockwall.com>>> wrote:

>>>>

>>>> Mark ... I will update everything denoting the removed structure. With regard to not making the meeting, I will pass along your email to the Planning and Zoning Commission; however, if you can have someone there it is highly encouraged. If you have any questions or additional concerns please let me know. Thanks.

>>>>

>>>> Ryan C. Miller,  
AICP  
>>>> DIRECTOR OF



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 Rockwall  
 >>>> 972.772.6441  
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>>>> From: Mark  
Klecha  
<[markklecha@hotmail.  
com](mailto:markklecha@hotmail.com)<[mailto:markklecha  
@hotmail.com](mailto:markklecha<br/>@hotmail.com)>>

>>>> Sent: Friday, July  
24, 2020 8:51 AM

>>>> To: Miller, Ryan  
<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)  
<[mailto:RMiller@rockw  
all.com](mailto:RMiller@rockw<br/>all.com)>>

>>>> Subject: Re:  
Project Comments:  
Z2020-030

>>>> Mr. Miller,  
>>>> Thank you for the  
information. Couple  
quick things and then I  
will get to work on my  
responses.

>>>> - I will be out of  
town next week helping  
my in-laws move from  
FL to Fort Worth. I  
wanted that to be on  
record in case it is  
looked down upon for  
me not being in  
attendance at the  
working group. I would  
be there, but I had this  
trip planned and paid  
for prior to this SUP  
requirement and  
subsequent schedule of  
events.

>>>> - On the project  
comments page, M.7  
mentions an existing  
structure. That is  
incorrect. I had a 8x12



shed on my property  
prior to getting a third  
driveway poured. That  
structure has been  
removed.

>>>> Warm Regards,

>>>> -Mark

>>>>> On Jul 24, 2020,  
at 7:55 AM, Miller,  
Ryan

<[RMiller@rockwall.com](mailto:RMiller@rockwall.com)

<<mailto:RMiller@rockwall.com>>> wrote:

>>>>

>>>> Mr. Klecha,

>>>> Attached are the  
project comments and  
draft ordinance for your  
Specific Use Permit  
(SUP) request. Please  
address all of the  
comments and read  
through the draft  
ordinance by August 4,  
2020. The meeting  
schedule for your case  
is as follows:

>>>> P&Z Work

Session: July 28, 2020

>>>> P&Z Public

Hearing: August 11,  
2020

>>>> City Council Public  
Hearing/First Reading:  
August 17, 2020

>>>> City Council  
Second

Reading/Approval:  
September 8, 2020

>>>> All meetings will  
be held at 6:00 PM in  
the City Council  
Chambers at City Hall  
(i.e. 385 S. Goliad  
Street). It is required  
that someone be  
present at each of  
these meetings to  
represent your case. If  
you have any questions  
please let me know.  
Thanks.



>>>>  
>>>> Ryan C. Miller,  
AICP  
>>>> DIRECTOR OF  
PlannING & ZONING •  
Planning & Zoning  
Division • City of  
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>>>> 972.772.6441  
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ndex.asp](http://www.rockwall.com/Planning/index.asp)> | Municipal  
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municode.com/index.as  
px?clientId=14830&stat  
eID=43&statename=Tex  
as](http://library.municode.com/index.aspx?clientId=14830&stateID=43&statename=Texas)>  
>>>> GIS Division  
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asp](http://www.rockwall.com/gis/index.asp)> | City of Rockwall  
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Maps<[https://rockwall.  
maps.arcgis.com/apps/  
webappviewer/index.ht  
ml?id=08e04181992e4  
040980ba6ae2cd667b1](https://rockwall.maps.arcgis.com/apps/webappviewer/index.html?id=08e04181992e4040980ba6ae2cd667b1)  
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## Gonzales, David

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**From:** Gonzales, David  
**Sent:** Tuesday, April 27, 2021 2:29 PM  
**To:** 'Mark Klecha'  
**Subject:** RE: P&Z Work Session Next Week  
**Attachments:** Draft Ordinance (04.27.2021).pdf

Mark,

Please find attached the revised draft SUP ordinance that now has the updated elevations that you've provided. I will provide copies to the Planning and Zoning Commission for tonight's meeting.

See you at the meeting tonight.

Thank you,



**DAVID GONZALES, AICP**

PLANNING & ZONING MANAGER  
PLANNING & ZONING DIVISION • CITY OF ROCKWALL  
972.772.6488 OFFICE  
[DGONZALES@ROCKWALL.COM](mailto:DGONZALES@ROCKWALL.COM)

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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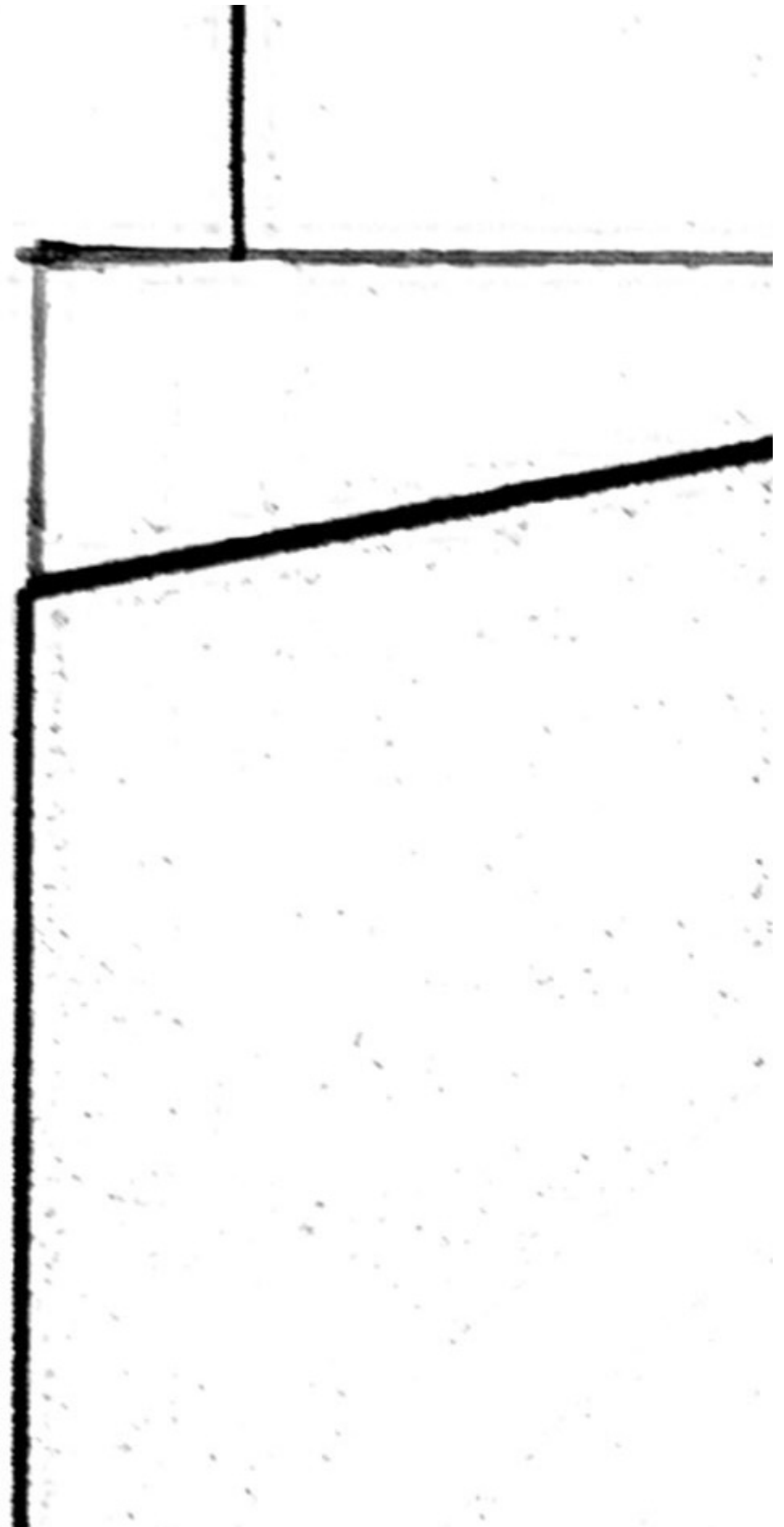
**From:** Mark Klecha [mailto:markklecha@hotmail.com]  
**Sent:** Friday, April 23, 2021 5:19 PM  
**To:** Gonzales, David  
**Subject:** Re: P&Z Work Session Next Week

Thank You David!

I just wanted to add some updated plans that show the current status of the structure. I know we have actual pictures, but wanted to back them up with some updated hand drawn fixes as best I could. Not sure if they are necessary?

-Mark







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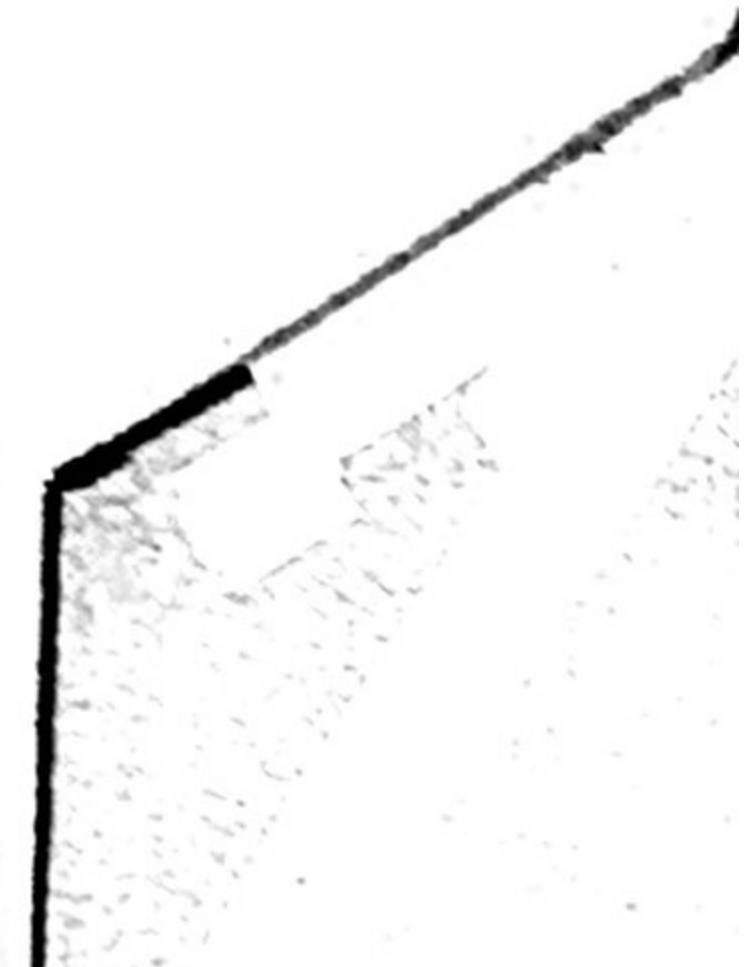
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On Apr 23, 2021, at 2:56 PM, Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Mark,

Please find attached staff's comments for your request. The Planning Commission will be conducting a work session next week on Tuesday, April 27, 2021. As the applicant, you will be presenting your case before the commission to discuss your project and receive feedback. The Planning and Zoning Commission meeting is scheduled for 6:00 p.m. in the City's Council Chambers. Please be sure that you and/or your representative(s) are present to answer any questions the Commission may have regarding your request.

Please see dates for all meetings in staff comments.

Do not hesitate to contact me should you have any questions.

Thank you,

**DAVID GONZALES, AICP**

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## Gonzales, David

---

**From:** Gonzales, David  
**Sent:** Monday, May 3, 2021 3:02 PM  
**To:** 'Mark Klecha'  
**Cc:** Miller, Ryan  
**Subject:** RE: P&Z Work Session Next Week

Mark,

First of all, thank you for your email and pointing out a possible discrepancy with the measurement. With this being in question, staff wanted to be sure of the measurement and asked Rusty McDowell, Building Inspections Supervisor to re-measure the structure. He revisited the site today and the height measurement is 16-ft 6-inches. I will correct the SUP Draft Ordinance for the upcoming scheduled public hearings. As you know, the height still exceeds the 15-foot maximum allowed by the current SUP; however, it is not 19-ft 9-inches. Once again, approval of the amended SUP is a discretionary to the City Council. I will have staff's report, an updated draft ordinance, and other information out to you on Friday for next week's public hearing with the Planning and Zoning Commission. Additionally, the public hearing before the City Council will be held on May 17, 2021.

Thank you,



**DAVID GONZALES, AICP**

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**From:** Mark Klecha [mailto:markklecha@hotmail.com]

**Sent:** Friday, April 30, 2021 12:38 PM

**To:** Gonzales, David

**Cc:** Miller, Ryan

**Subject:** Re: P&Z Work Session Next Week

Afternoon Gentlemen,

I need some clarity from you both. This letter from your inspector said the structure is 15'7" from the "backyard" and 19'9" from the "existing retaining wall" which is not the base of where the structure begins. I went and measured everything just now (see attached photos) and 19'9" is grossly inaccurate. Unless you are telling me the measurement for the structure begins at the bottom of the new retaining wall?? That was not where I was told by your office the measurement is taken from. You said from the base of the structure (ie from the concrete slab where the walls are attached)?

Going off of your definition, the structure is exactly 16' 7" tall. And when we discussed the other day in your office, I realized my mistake on the plane from which I measured from when I built the ridge beam wall. I measured from the sidewalk height (which is 14" taller than the base of the concrete slab. So if you do the math, 199-14 puts me at 185"



which equals  $\sim 15'4"$ . The new retaining wall is  $\sim 43"$  tall, and if you do that math,  $199+43 = 242$  or  $20'1"$ . So the only way I can see the  $19'9"$  measurement is if you include the retaining wall height, which is not where the structure begins???

So I was almost spot on from where I thought I was supposed to measure from. I was incorrect in my measurement source, but even at  $16'7"$ , I am nowhere near  $19'9"$ ??

So why are we using the  $19'9"$  measurement? That has a huge impact on how the council may vote on this and I want to ensure the correct measurements are being referenced.

Am I missing something or off on my understanding??

-Mark





199" / 16'7"



















7:48



Done

Packet [WS] (04.27.2021).pdf



---

**From:** [Foshee, Craig](#)  
**To:** [Gonzales, David](#); [Miller, Ryan](#)  
**Cc:** [McDowell, Russell](#)  
**Subject:** FW: 1748 Lake breeze  
**Date:** Thursday, April 22, 2021 3:51:25 PM

---

-----Original Message-----

From: Yancey, Jared  
Sent: Thursday, April 22, 2021 3:51 PM  
To: McDowell, Russell <[rmcdowell@rockwall.com](mailto:rmcdowell@rockwall.com)>; Foshee, Craig <[cfoshee@rockwall.com](mailto:cfoshee@rockwall.com)>  
Subject: 1748 Lake breeze

The height on the structure is 15'7" from the backyard height. 19'9" from the existing retaining wall on edge of property.  
Square footage is 330 ft.<sup>2</sup> for the downstairs, upstairs square footage is 240ft.<sup>2</sup> as to which the roofline meets the floor of attic area

Jared Yancey  
469-797-3436  
Building Inspections

---

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On Apr 27, 2021, at 2:29 PM, Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Mark,

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See you at the meeting tonight.

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**DAVID GONZALES, AICP**

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---

**From:** Mark Klecha [<mailto:markklecha@hotmail.com>]

**Sent:** Friday, April 23, 2021 5:19 PM

**To:** Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)>

**Subject:** Re: P&Z Work Session Next Week

Thank You David!

I just wanted to add some updated plans that show the current status of the structure. I know we have actual pictures, but wanted to back them up with some updated hand drawn fixes as best I could. Not sure if they are necessary?

-Mark

On Apr 23, 2021, at 2:56 PM, Gonzales, David <[DGonzales@rockwall.com](mailto:DGonzales@rockwall.com)> wrote:

Mark,

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representative(s) are present to answer any questions the Commission may have regarding your request.

Please see dates for all meetings in staff comments.

Do not hesitate to contact me should you have any questions.

Thank you,

**DAVID GONZALES, AICP**

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