



PLANNING AND ZONING CASE CHECKLIST

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

P&Z CASE # M-2022-009 P&Z DATE 05/10/22 CC DATE _____ 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 & ZONING CASE NO. M152022-009

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

- ☐ MASTER PLAT (\$100.00 + \$15.00 ACRE) ¹
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- ☐ PLAT REINSTATEMENT REQUEST (\$100.00)

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- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☒ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

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²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS Mims Rd. Rockwall, TX 75032

SUBDIVISION A0026 W H Barnes, Tract 3

LOT _____

BLOCK _____

GENERAL LOCATION Located at 205 and Mims Rd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Heavy Commercial, Commercial

CURRENT USE Vacant Land - Commercial

PROPOSED ZONING N/A

PROPOSED USE N/A

ACREAGE 58.72 Acres

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 Rayburn Country Electric Cooperative, Inc.

☐ APPLICANT _____

CONTACT PERSON Stephen Geiger

CONTACT PERSON _____

ADDRESS 950 Sids Rd

ADDRESS _____

CITY, STATE & ZIP Rockwall, TX 75032

CITY, STATE & ZIP _____

PHONE (469) 402-2100

PHONE _____

E-MAIL sgeiger@rayburnelectric.com

E-MAIL _____

NOTARY VERIFICATION [REQUIRED]

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

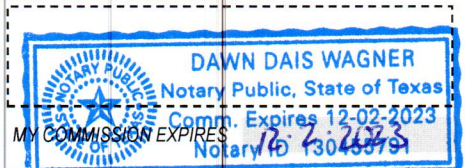
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GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 31st DAY OF March, 2022.

OWNER'S SIGNATURE _____

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS _____

Dawn Dais Wagner





P.O. Box 37 | Rockwall, TX 75087
950 Sids Rd. | Rockwall, TX 75032
(T) 469.402.2100 | Rayburnelectric.com

April 14, 2022

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

Subject: Rayburn Country Electric Cooperative's Variance Request

To Whom It May Concern:

Last year Rayburn Country Electric Cooperative, Inc. (Rayburn) purchased the tract of land adjoining our campus property so that we could ensure a pathway for continued growth as our business needs develop. The property in question is bordered by State Highway 205 to the East, Mims Road to the South and West, and our existing campus property to the North. Given the property's location and relatively low vehicular traffic levels along Mims Road, this newly acquired tract of land is commonly used as a dump site for various items such as tires, couches, mattresses and even an old boat and hot tub. Rayburn desires to erect a fence along the property's perimeter to deter said dumping and to protect the integrity of our facilities. The variance requested relates to the fencing material type associated with the current zoning of overall tract. The larger overall tract has sections that are zoned both commercial and heavy commercial which require/permit different types of fencing. Given the purpose of our intent as meant more of a deterrent to illegal dumping and to address safety concerns for individuals accessing our property versus a long-term solution as our business development needs expand, we are requesting a variance to be able to install six-foot-high chain-link fencing around the perimeter of the overall larger tract. We are proposing to offset the fencing along State Highway 205 back into the property 50 feet so as to serve both our needs and be aesthetically beneficial to citizens of Rockwall as they traverse along the roadway. If any questions arise or if clarification is needed, please do not hesitate to contact me.

Thank you,

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Stephen Geiger
Chief Operating Officer
Rayburn Country Electric Cooperative, Inc.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. M152022-009

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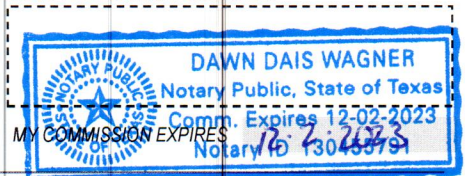
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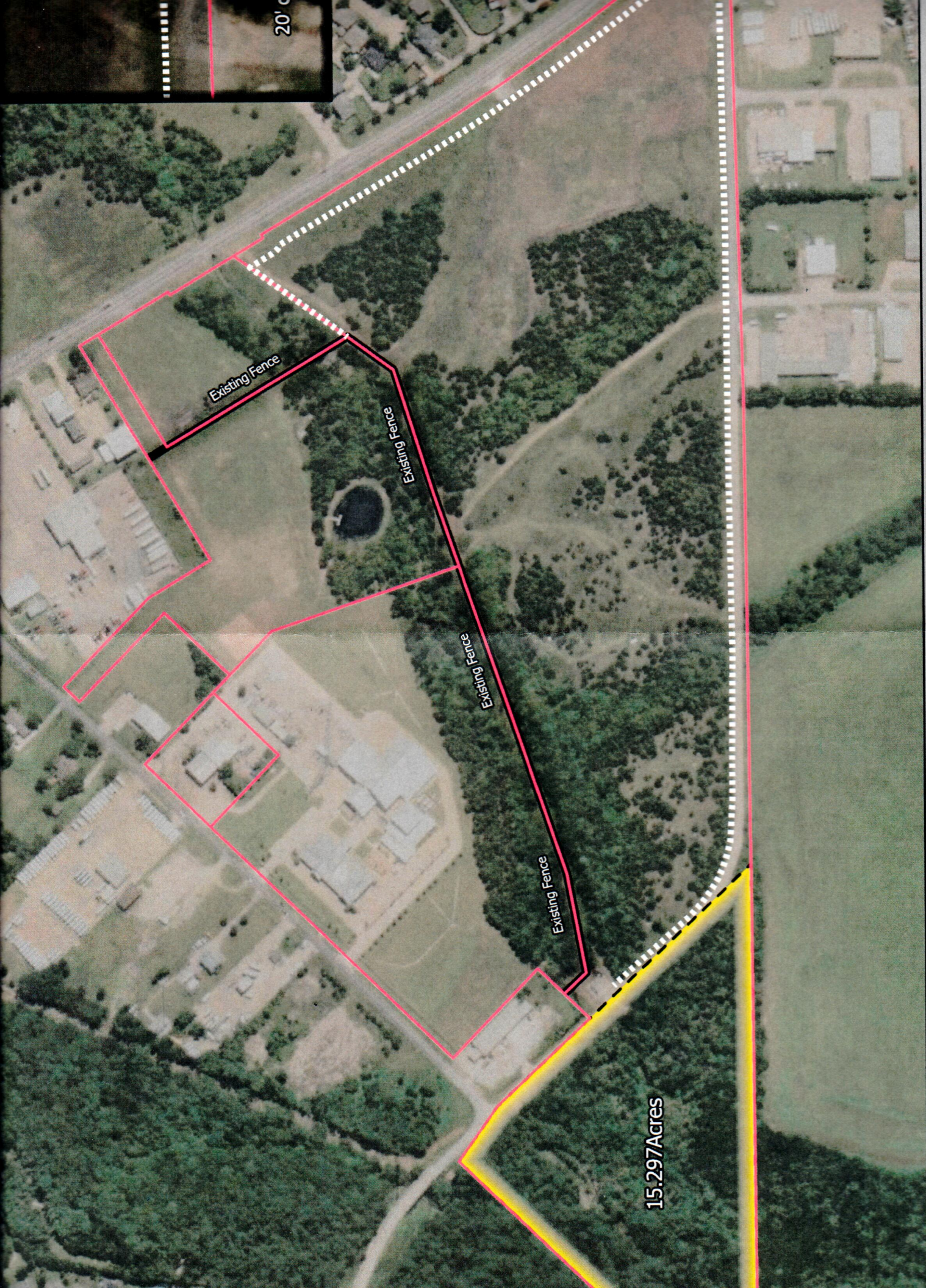
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Chief Operating Officer
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Existing Fence

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Existing Fence

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Proposed Fence

15.297 Acres



DEVELOPMENT APPLICATION

City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
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STAFF USE ONLY

PLANNING & ZONING CASE NO.

M152022-009

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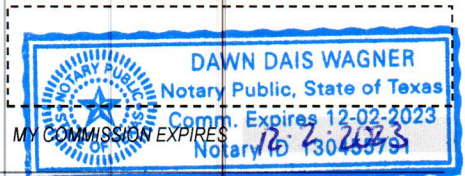
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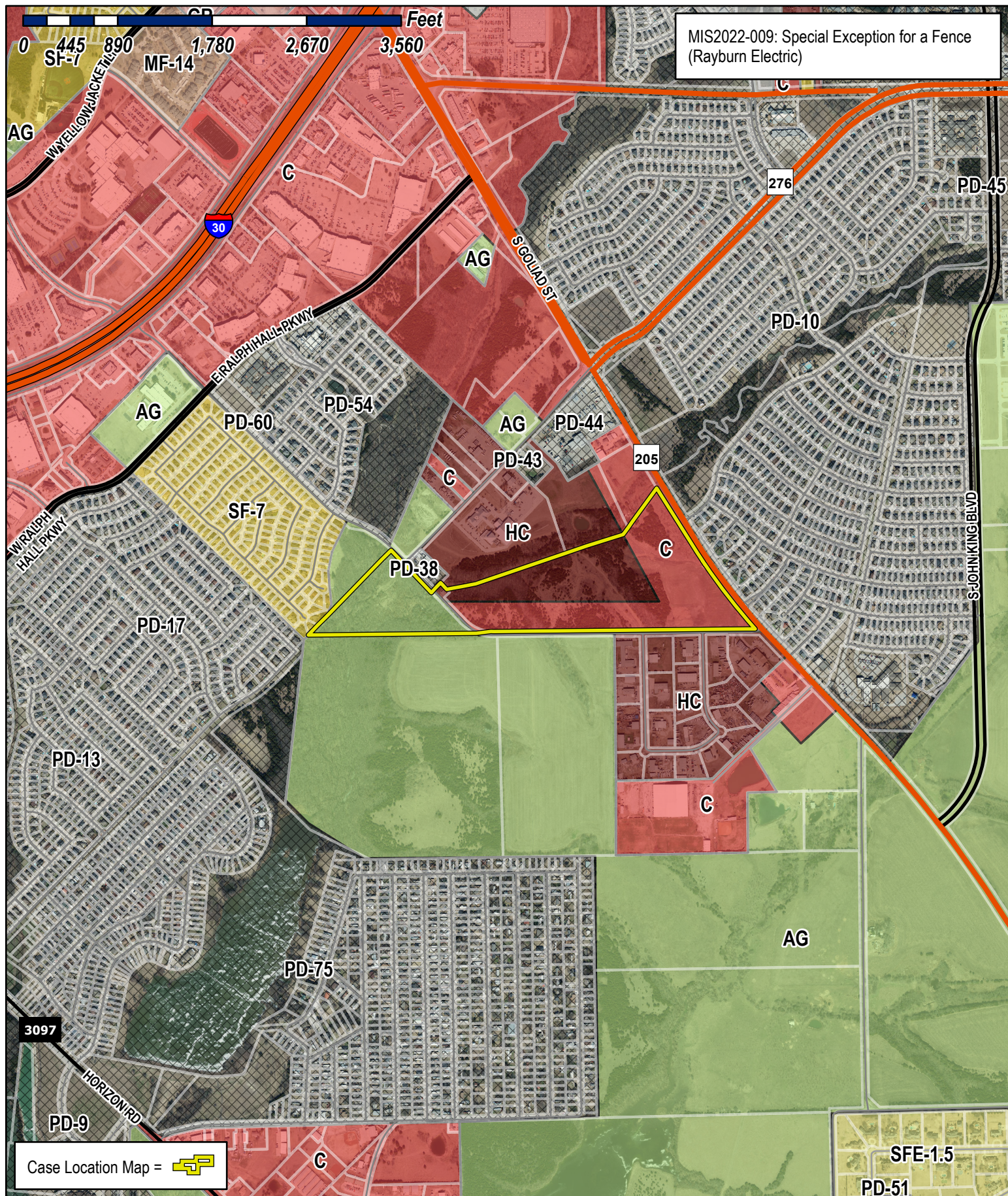
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OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Dawn Dais Wagner





City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(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.



April 14, 2022


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

Subject: Rayburn Country Electric Cooperative's Variance Request

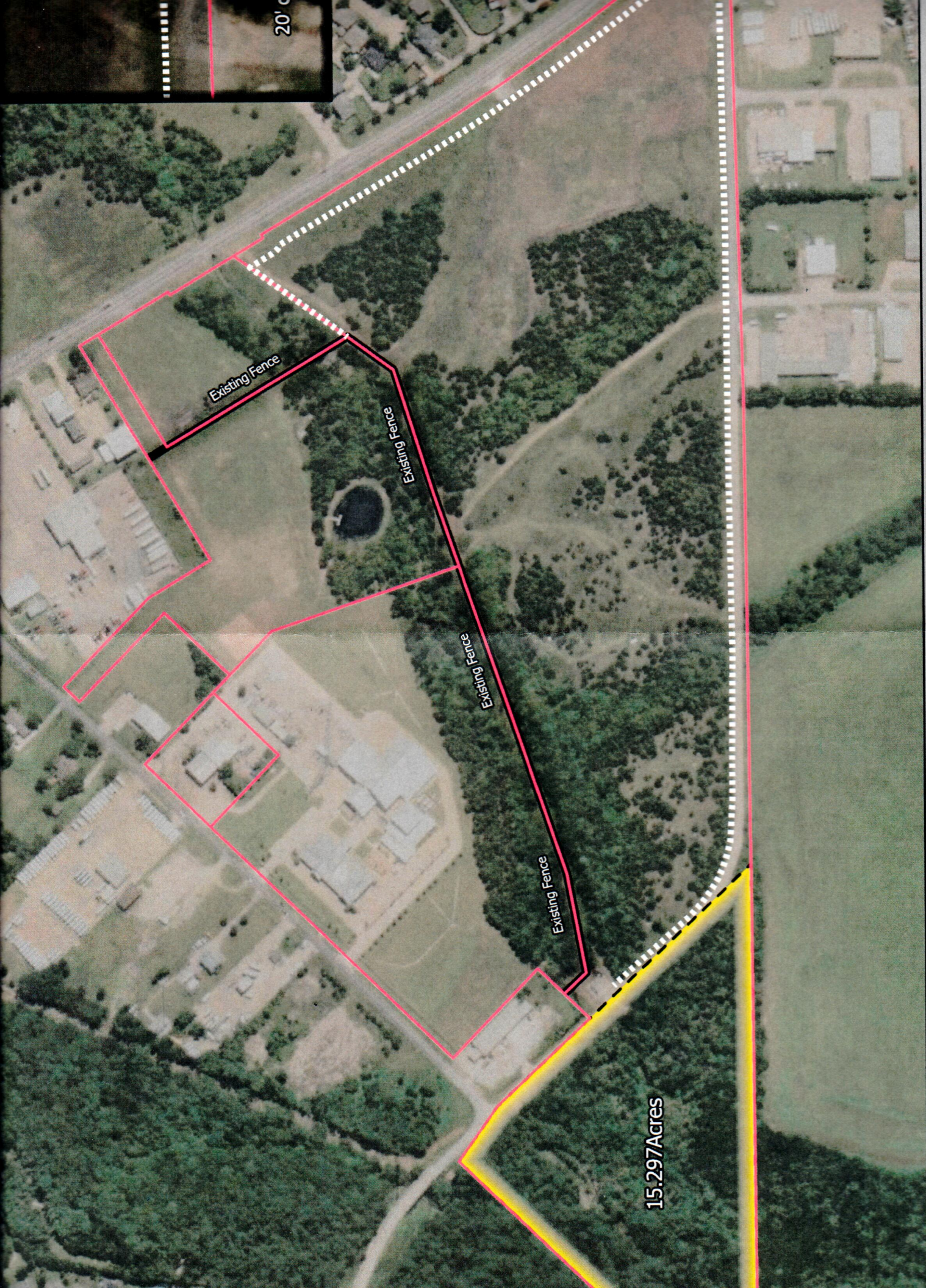
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Thank you,



Stephen Geiger
Chief Operating Officer
Rayburn Country Electric Cooperative, Inc.



Existing Fence

Existing Fence

Existing Fence

Existing Fence

Proposed Fence

15.297 Acres



CITY OF ROCKWALL

PLANNING AND ZONING COMMISSION MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Planning and Zoning Commission

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: April 26, 2022

SUBJECT: MIS2022-009; *Exception for a Fence for Rayburn Country Electric Cooperative, Inc.*

The applicant -- *Stephen Geiger of Rayburn Country Electric Cooperative, Inc.* -- has submitted a request for an exception to allow the construction of a six (6) foot chain-link fence around the subject property. The subject property is a 58.72-acre tract of vacant land situated at the northwest corner of the intersection of Mims Road and S. Goliad Street [SH-205] that is zoned Heavy Commercial (HC) District and Commercial (C) District. According to the applicant's letter, Rayburn Country Electric Cooperative, Inc. purchased the subject property to ensure that they would have land to expand their business in the future. Unfortunately, they have had issues with illegal dumping on the newly acquired site and are looking for a way to secure the property. In order to achieve this, the applicant is proposing to construct a six (6) foot chain-link fence that will start south of the City's lift station on Mims Road, extend east along Mims Road to S. Goliad Street, turn north and extend along S. Goliad Street to the northern property boundary, and turn west following the existing property line approximately 530-feet (see *Figure 1 below*). The applicant is proposing to set the fence back 20-feet from the property line (i.e. *at the front building setback line*) along Mims Road and back 50-feet from the property line (i.e. *at the front building setback line*) adjacent to S. Goliad Street.

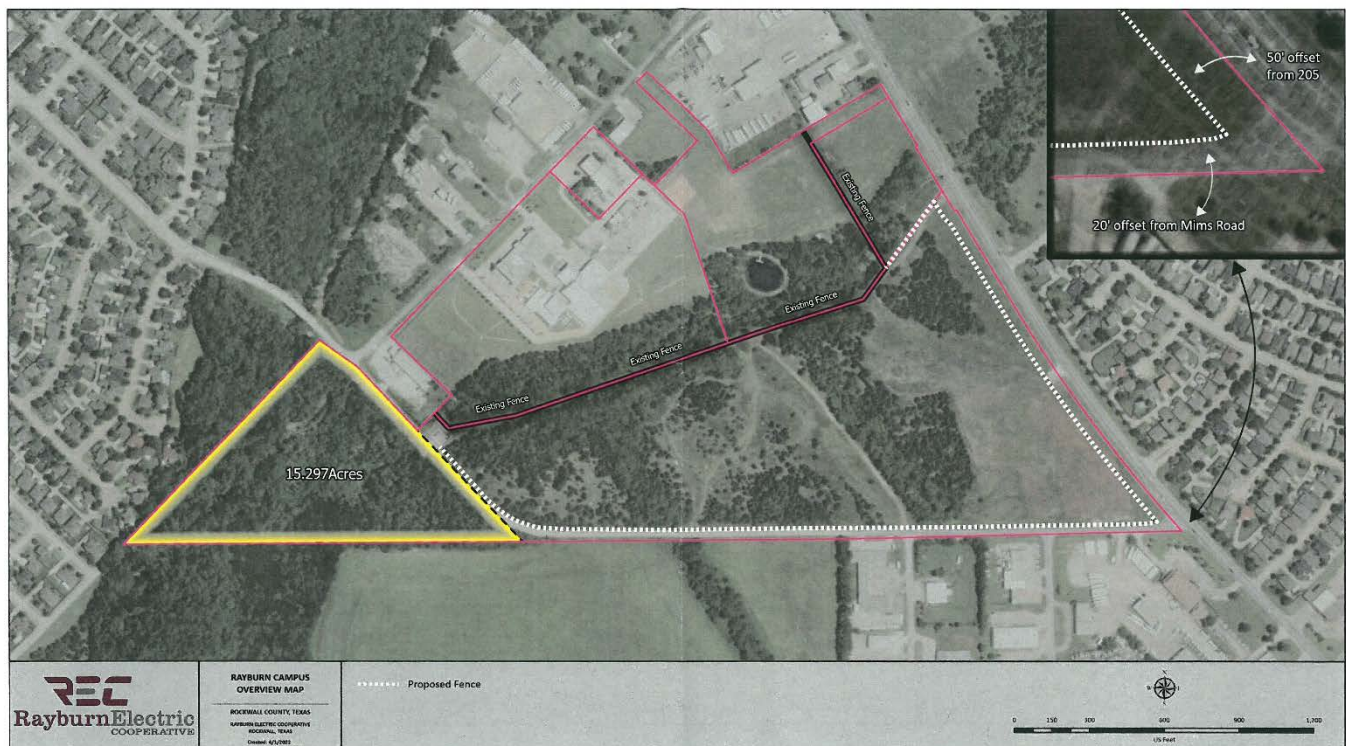


FIGURE 1: FENCE LOCATION

According to Subsection 08.04(A), *Fence Standards for Properties in a Commercial District*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), "(n)on-required fences in the Neighborhood Services (NS), General Retail (GR), and Commercial (C) Districts shall be constructed of materials outlined in Subsection 8.02(B); however, wood and vinyl coated chain-link shall be prohibited." In addition, Subsection 08.04(C), *Fence Standards for Properties in an Industrial District*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) states, "(n)on-required fences in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts shall be constructed of

materials outlined in Subsection 8.02(B); however, wood shall be prohibited." As stated above, the applicant is proposing a six (6) foot chain-link fence, which is a not permitted fence material in either the Commercial (C) District or the Heavy Commercial (HC) District. With this being said, the applicant does state that this is only a temporary solution intended to address their issues with illegal dumping and to temporarily secure the property until future expansion. It is also worth pointing out that the properties directly north (i.e. 2670 S. Goliad Street -- TransAm Trucking) and south (i.e. 2890 S. Goliad Street -- EPES Transport System, LLC) of the subject property currently have legal non-conforming chain-link fences (see Figures 2 & 3). Based on this the applicant's request does not appear to change the essential character of the area; however, a request for an exception for a fence is a discretionary decision for the Planning and Zoning Commission.

In the attached packet staff has included the applicant's letter and site plan showing the proposed location for the chain-link fence. Should the Planning and Zoning Commission have any questions staff will be available at the April 26, 2022 Planning and Zoning Commission Work Session meeting.



FIGURE 2: EPES TRANSPORT SYSTEMS, LLC



FIGURE 3: TRANSAM TRUCKING

PROJECT COMMENTS



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

DATE: 4/21/2022

PROJECT NUMBER: MIS2022-009
PROJECT NAME: Variance Request for a Fence (Rayburn Electric)
SITE ADDRESS/LOCATIONS:

CASE MANAGER: Ryan Miller
CASE MANAGER PHONE: 972-772-6441
CASE MANAGER EMAIL: rmiller@rockwall.com

CASE CAPTION: Discuss and consider a request by Stephen Geiger of Rayburn Electric Cooperative, Inc. for the approval of a Miscellaneous Case for a Special Exception to the fence standards on a 58.72-acre tract of land identified as Tract 3 of the W. H. Barnes Survey, Abstract No. 26, City of Rockwall, Rockwall County, Texas, zoned Heavy Commercial (HC) District and Commercial (C) District, situated within the SH-205 Overlay (SH-205 OV) District, generally located at the northwest corner of the intersection of S. Goliad Street [SH-205] and Mims Road, and take any action necessary.

DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
ENGINEERING	Sarah Johnston	04/20/2022	Needs Review
04/20/2022: The City will need gates a minimum of 14' wide to access the sewer line that is in the property as well as a "daisy chain" locking system so that the City Sewer Department can access 24 hrs. a day			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
BUILDING	Rusty McDowell	04/19/2022	Approved
04/19/2022: FLOOD PLAIN AREA			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
FIRE	Ryan Miller	04/21/2022	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
GIS	Lance Singleton	04/19/2022	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
POLICE	Ryan Miller	04/21/2022	N/A
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PARKS	Travis Sales	04/18/2022	Approved
No Comments			
DEPARTMENT	REVIEWER	DATE OF REVIEW	STATUS OF PROJECT
PLANNING	Ryan Miller	04/21/2022	N/A
No Comments			



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO. M152022-009

NOTE: THE APPLICATION IS NOT CONSIDERED ACCEPTED BY THE CITY UNTIL THE PLANNING DIRECTOR AND CITY ENGINEER HAVE SIGNED BELOW.

DIRECTOR OF PLANNING: _____

CITY ENGINEER: _____

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

PLATTING APPLICATION FEES:

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

SITE PLAN APPLICATION FEES:

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

ZONING APPLICATION FEES:

- ☐ ZONING CHANGE (\$200.00 + \$15.00 ACRE) ¹
- ☐ SPECIFIC USE PERMIT (\$200.00 + \$15.00 ACRE) ^{1 & 2}
- ☐ PD DEVELOPMENT PLANS (\$200.00 + \$15.00 ACRE) ¹

OTHER APPLICATION FEES:

- ☐ TREE REMOVAL (\$75.00)
- ☒ VARIANCE REQUEST/SPECIAL EXCEPTIONS (\$100.00) ²

NOTES:

¹: IN DETERMINING THE FEE, PLEASE USE THE EXACT ACREAGE WHEN MULTIPLYING BY THE PER ACRE AMOUNT. FOR REQUESTS ON LESS THAN ONE ACRE, ROUND UP TO ONE (1) ACRE.

²: A \$1,000.00 FEE WILL BE ADDED TO THE APPLICATION FEE FOR ANY REQUEST THAT INVOLVES CONSTRUCTION WITHOUT OR NOT IN COMPLIANCE TO AN APPROVED BUILDING PERMIT.

PROPERTY INFORMATION [PLEASE PRINT]

ADDRESS Mims Rd. Rockwall, TX 75032

SUBDIVISION A0026 W H Barnes, Tract 3

LOT

BLOCK

GENERAL LOCATION Located at 205 and Mims Rd

ZONING, SITE PLAN AND PLATTING INFORMATION [PLEASE PRINT]

CURRENT ZONING Heavy Commercial, Commercial

CURRENT USE Vacant Land - Commercial

PROPOSED ZONING N/A

PROPOSED USE N/A

ACREAGE 58.72 Acres

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 Rayburn Country Electric Cooperative, Inc.

☐ APPLICANT

CONTACT PERSON Stephen Geiger

CONTACT PERSON

ADDRESS 950 Sids Rd

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75032

CITY, STATE & ZIP

PHONE (469) 402-2100

PHONE

E-MAIL sgeiger@rayburnelectric.com

E-MAIL

NOTARY VERIFICATION [REQUIRED]

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

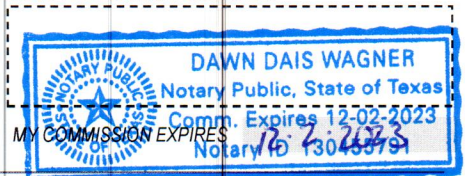
"I HEREBY CERTIFY THAT I AM THE OWNER FOR THE PURPOSE OF THIS APPLICATION; ALL INFORMATION SUBMITTED HEREIN IS TRUE AND CORRECT; AND THE APPLICATION FEE OF \$ 100.00 TO COVER THE COST OF THIS APPLICATION, HAS BEEN PAID TO THE CITY OF ROCKWALL ON THIS THE 31st DAY OF March, 2022. BY SIGNING THIS APPLICATION, 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."

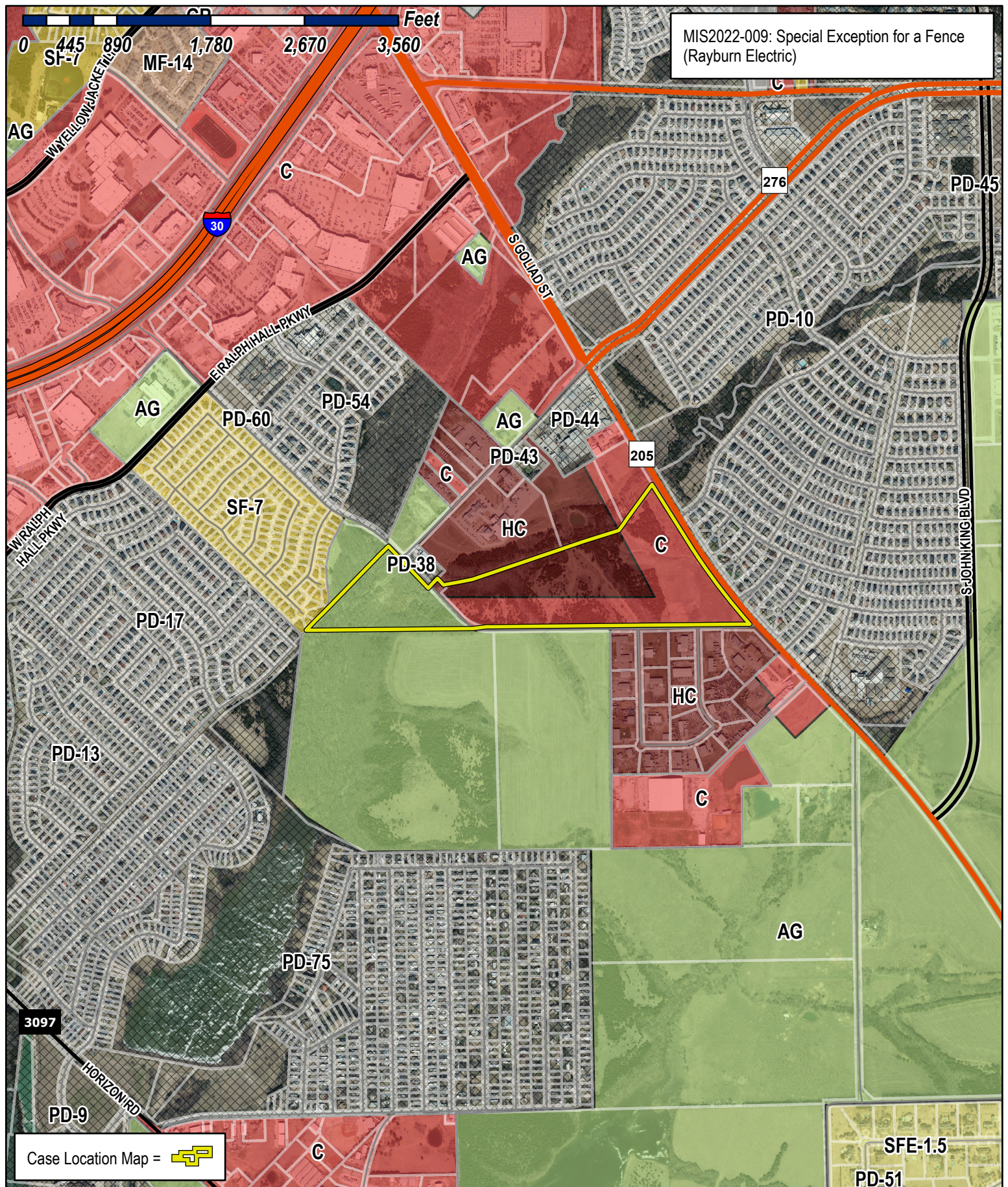
GIVEN UNDER MY HAND AND SEAL OF OFFICE ON THIS THE 31st DAY OF March, 2022.

OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Stephen Geiger
Dawn Dais Wagner





City of Rockwall

Planning & Zoning Department
385 S. Goliad Street
Rockwall, Texas 75032
(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.



April 14, 2022

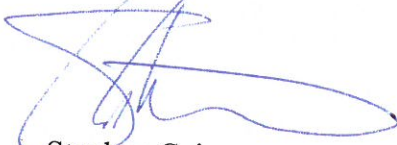
City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

Subject: Rayburn Country Electric Cooperative's Variance Request

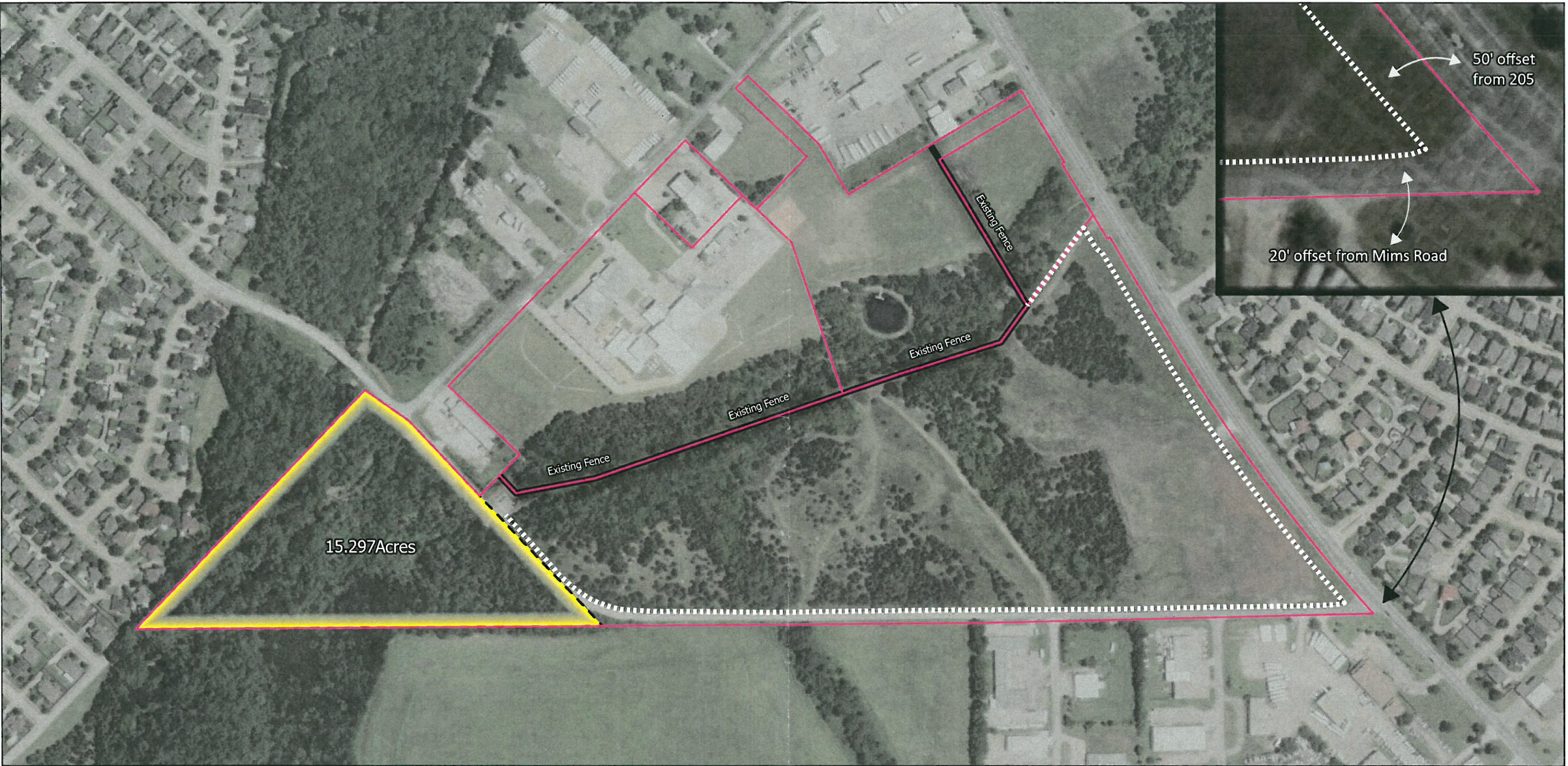
To Whom It May Concern:

Last year Rayburn Country Electric Cooperative, Inc. (Rayburn) purchased the tract of land adjoining our campus property so that we could ensure a pathway for continued growth as our business needs develop. The property in question is bordered by State Highway 205 to the East, Mims Road to the South and West, and our existing campus property to the North. Given the property's location and relatively low vehicular traffic levels along Mims Road, this newly acquired tract of land is commonly used as a dump site for various items such as tires, couches, mattresses and even an old boat and hot tub. Rayburn desires to erect a fence along the property's perimeter to deter said dumping and to protect the integrity of our facilities. The variance requested relates to the fencing material type associated with the current zoning of overall tract. The larger overall tract has sections that are zoned both commercial and heavy commercial which require/permit different types of fencing. Given the purpose of our intent as meant more of a deterrent to illegal dumping and to address safety concerns for individuals accessing our property versus a long-term solution as our business development needs expand, we are requesting a variance to be able to install six-foot-high chain-link fencing around the perimeter of the overall larger tract. We are proposing to offset the fencing along State Highway 205 back into the property 50 feet so as to serve both our needs and be aesthetically beneficial to citizens of Rockwall as they traverse along the roadway. If any questions arise or if clarification is needed, please do not hesitate to contact me.

Thank you,



Stephen Geiger
Chief Operating Officer
Rayburn Country Electric Cooperative, Inc.





CITY OF ROCKWALL

CITY COUNCIL MEMORANDUM

PLANNING AND ZONING DEPARTMENT

385 S. GOLIAD STREET • ROCKWALL, TX 75087

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

TO: Mayor and City Council

CC: Mary Smith, *City Manager*
Joey Boyd, *Assistant City Manager*

FROM: Ryan Miller, *Director of Planning and Zoning*

DATE: May 2, 2022

SUBJECT: MIS2022-009; *Exception for a Fence for Rayburn Country Electric Cooperative, Inc.*

The applicant -- *Stephen Geiger of Rayburn Country Electric Cooperative, Inc.* -- has submitted a request for an exception to allow the construction of a six (6) foot chain-link fence around the subject property. The subject property is a 58.72-acre tract of vacant land situated at the northwest corner of the intersection of Mims Road and S. Goliad Street [SH-205] that is zoned Heavy Commercial (HC) District and Commercial (C) District. According to the applicant's letter, Rayburn Country Electric Cooperative, Inc. purchased the subject property to ensure that they would have land to expand their business in the future. Unfortunately, they have had issues with illegal dumping on the newly acquired site and are looking for a way to secure the property. In order to achieve this, the applicant is proposing to construct a six (6) foot chain-link fence that will start south of the City's lift station on Mims Road, extend east along Mims Road to S. Goliad Street, turn north and extend along S. Goliad Street to the northern property boundary, and turn west following the existing property line approximately 530-feet (see *Figure 1 below*). The applicant is proposing to set the fence back 20-feet from the property line (*i.e. at the front building setback line*) along Mims Road and back 50-feet from the property line (*i.e. at the front building setback line*) adjacent to S. Goliad Street.

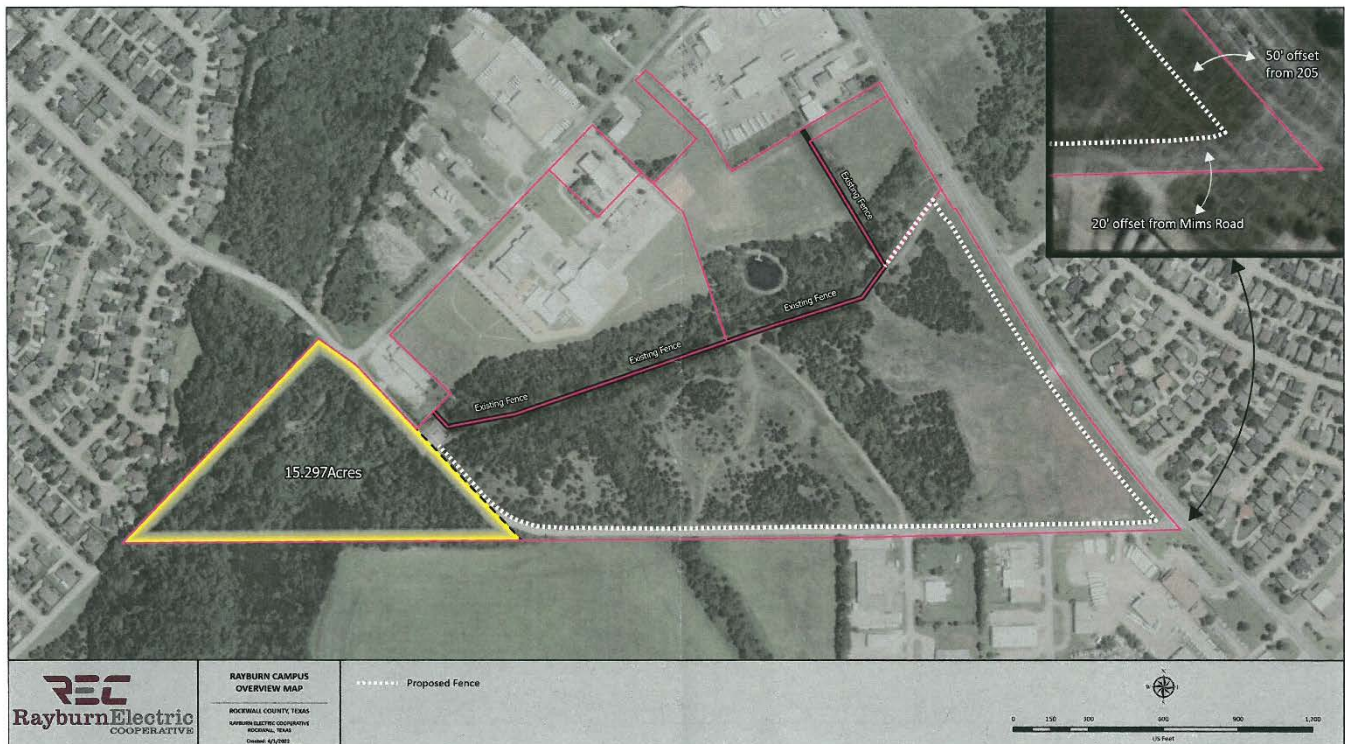


FIGURE 1: FENCE LOCATION

According to Subsection 08.04(A), *Fence Standards for Properties in a Commercial District*, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC), "(n)on-required fences in the Neighborhood Services (NS), General Retail (GR), and Commercial (C) Districts shall be constructed of materials outlined in Subsection 8.02(B); however, wood and vinyl coated chain-link shall be prohibited." In addition, Subsection 08.04(C), *Fence Standards for Properties in an*

Industrial District, of Article 08, *Landscape and Fence Standards*, of the Unified Development Code (UDC) states, "(n)on-required fences in the Heavy Commercial (HC), Light Industrial (LI), and Heavy Industrial (HI) Districts shall be constructed of materials outlined in Subsection 8.02(B); however, wood shall be prohibited." As stated above, the applicant is proposing a six (6) foot chain-link fence, which is a not permitted fence material in either the Commercial (C) District or the Heavy Commercial (HC) District. With this being said, the applicant does state that this is only a temporary solution intended to address their issues with illegal dumping and to temporarily secure the property until future expansion. It is also worth pointing out that the properties directly north (*i.e.* 2670 S. Goliad Street -- *TransAm Trucking*) and south (*i.e.* 2890 S. Goliad Street -- *EPES Transport System, LLC*) of the subject property currently have legal non-conforming chain-link fences (*see Figures 2 & 3*). Based on this the applicant's request does not appear to change the essential character of the area; however, a request for an exception for a fence is a discretionary decision for the Planning and Zoning Commission.



FIGURE 2: EPES TRANSPORT SYSTEMS, LLC



FIGURE 3: TRANSAM TRUCKING

According to Subsection 09.01, *Exceptions to the General Standards*, of Article 11, *Development Applications and Review Procedures*, of the Unified Development Code (UDC), "(a)pproval of any exception to the requirements of this section by the Planning and Zoning Commission or City Council shall require a supermajority vote (*i.e.* *three-fourths vote of those members present*), with a minimum of four (4) votes in the affirmative." On April 26, 2022 the Planning and Zoning Commission failed to get a supermajority vote for a motion to approve the applicant's request with the caveat that the fence be black vinyl coated chain-link along S. Goliad Street [SH-205]. This motion failed by a vote of 4-2, with Commissioners Chodun and Conway dissenting. In accordance with Subsection 09.01 of Article 11 of the Unified Development Code (UDC), the applicant has submitted a written appeal to the Director of Planning and Zoning requesting to appeal the Planning and Zoning Commission's decision. Please note that in order to approve the applicant's request, the City Council would need to approve a motion by a super-majority vote.

In the attached packet staff has included the applicant's letter and site plan showing the proposed location for the chain-link fence. Should the City Council have any questions staff will be available at the May 2, 2022 City Council meeting.



DEVELOPMENT APPLICATION

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

STAFF USE ONLY

PLANNING & ZONING CASE NO.

M152022-009

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CITY ENGINEER:

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ACREAGE 58.72 Acres

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LOTS [PROPOSED]

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☒ OWNER Rayburn Country Electric Cooperative, Inc.

☐ APPLICANT

CONTACT PERSON Stephen Geiger

CONTACT PERSON

ADDRESS 950 Sids Rd

ADDRESS

CITY, STATE & ZIP Rockwall, TX 75032

CITY, STATE & ZIP

PHONE (469) 402-2100

PHONE

E-MAIL sgeiger@rayburnelectric.com

E-MAIL

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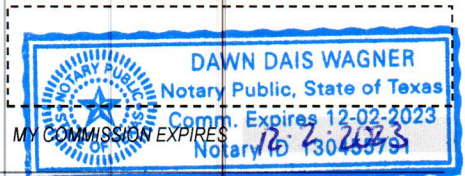
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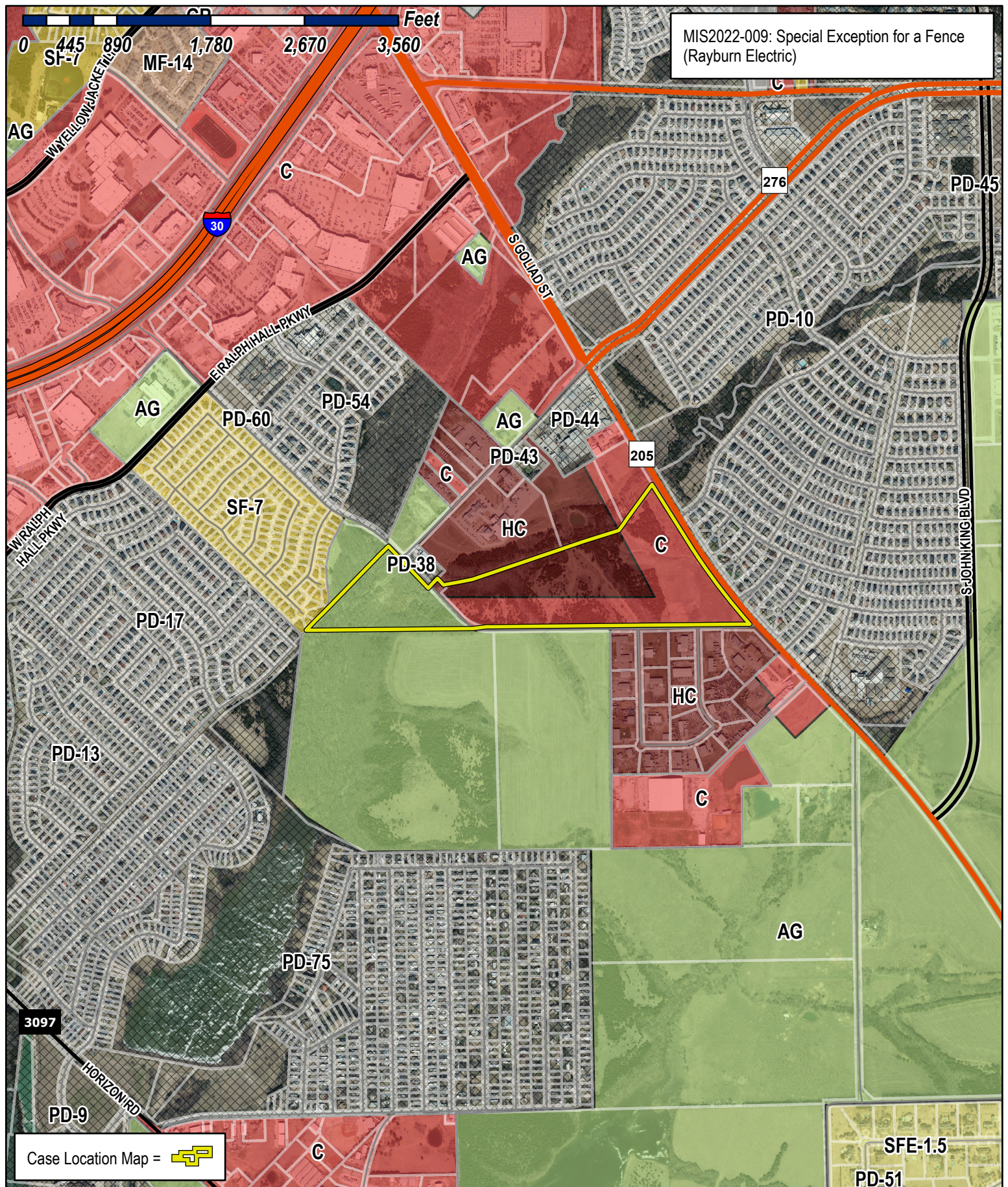
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OWNER'S SIGNATURE

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

Dawn Dais Wagner





City of Rockwall

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

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April 14, 2022

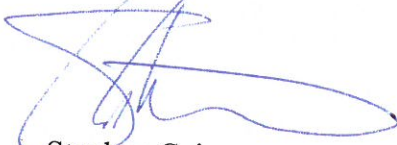
City of Rockwall
Planning and Zoning Department
385 S. Goliad Street
Rockwall, Texas 75087

Subject: Rayburn Country Electric Cooperative's Variance Request

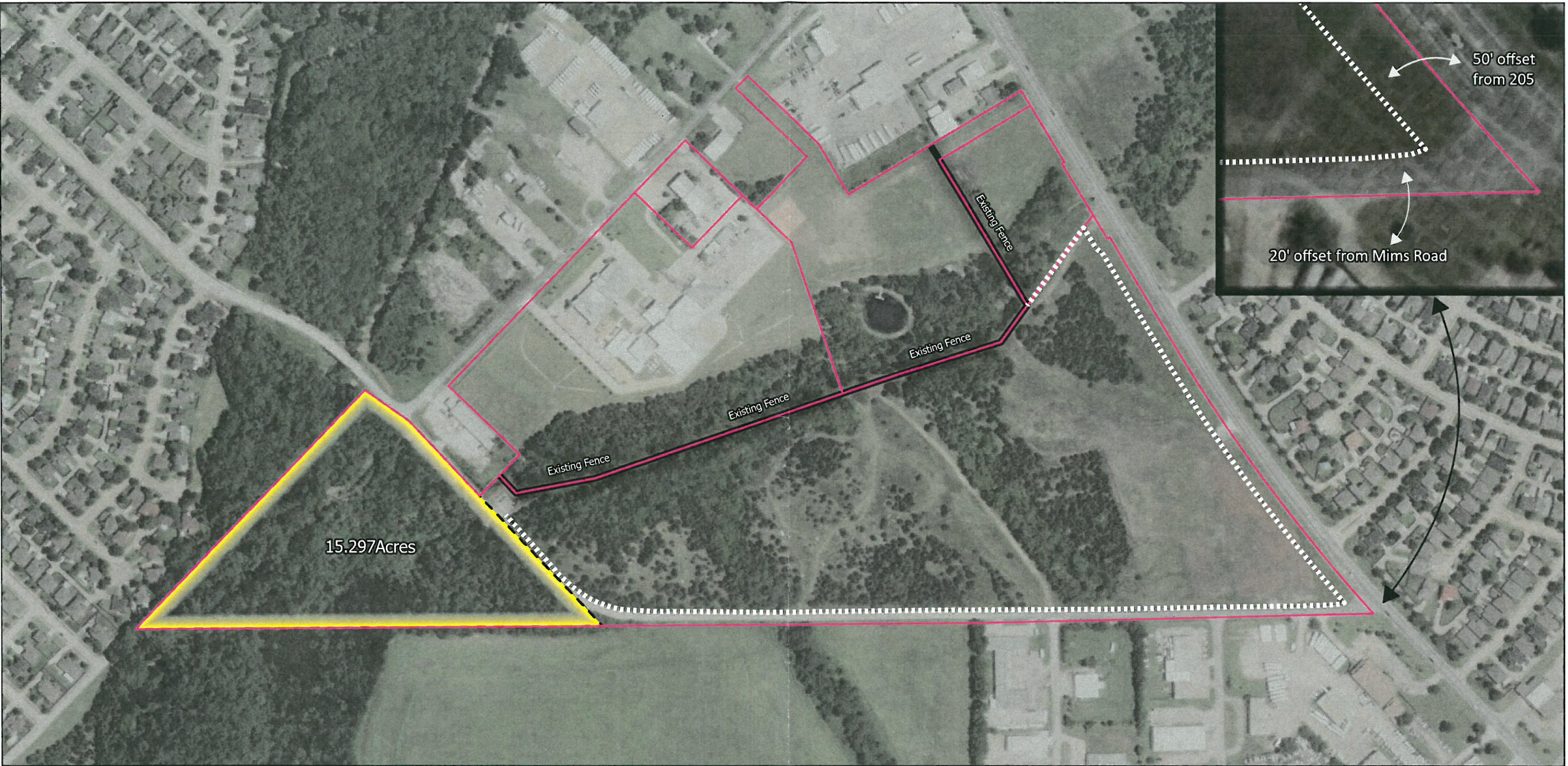
To Whom It May Concern:

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Thank you,



Stephen Geiger
Chief Operating Officer
Rayburn Country Electric Cooperative, Inc.





May 17, 2022

TO: Stephen Geiger
Rayburn Country Electric Cooperative, Inc.
950 Sids Road
Rockwall, Texas 75032

FROM: Ryan Miller, AICP
City of Rockwall Planning and Zoning Department
385 S. Goliad Street
Rockwall, TX 75087

SUBJECT: MIS2022-009; Special Exception for a Fence for Rayburn Country Electric Cooperative, Inc.

Mr. Geiger:

This letter serves to notify you that the above referenced case, that you submitted for consideration by the City of Rockwall, was approved by the City Council on May 2, 2022. The following is a record of all recommendations, voting records and conditions of approval:

Planning and Zoning Commission

On April 26, 2022 the Planning and Zoning Commission failed to get a supermajority vote for a motion to approve the applicant's request with the caveat that the fence be black vinyl coated chain-link along S. Goliad Street [SH-205]. This motion failed by a vote of 4-2, with Commissioners Chodun and Conway dissenting.

City Council

On May 2, 2022, the City Council approved a motion to approve the miscellaneous case for a special exception to the fence standards with the conditions of approval by a vote of 7-0.

Should you have any questions or concerns regarding your zoning case, please feel free to contact me a (972) 771-7745.

Sincerely,

Ryan Miller, AICP
Director of Planning and Zoning