



## **PLANNING AND ZONING REQUEST FOR SCREENING MODIFICATION**

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### **BACKGROUND**

APPLICANT: Peachtree Apartments

REQUESTED ACTION: Screening Wall Substitution

LOCATION: North, East and South property lines of 1402 S. Peachtree Road

### **STAFF COMMENTS**

Owner of Peachtree Apartments is requesting a modification to the district screening requirement along north, east, and south property lines at 1402 S. Peachtree Road (Attachment 1 – Notification Map). The applicant is requesting to use the existing metal fence instead of installing an 8-foot masonry screening wall (Attachment 2 – Applicant's Letter.) Recently, the City Apartment Inspector cited the applicant for using corrugated metal for the fence, which is not an acceptable material. The applicant installed the metal fence in 2008 without proper permits.

Peachtree Apartments is bounded by single-family residential zoned properties on the south, east and north. Section 1A-304 of the Mesquite Zoning Ordinance states "when a multifamily district backs or sides upon a school property, single family or duplex residential district, an eight-foot long-span precast concrete decorative screening wall and a buffer tree line shall be established and maintained along the property line abutting the school property, single family or duplex residential district."

The Mesquite Zoning Ordinance provides for a modification of this requirement to be considered by City Council at a public hearing in the form of a waiver, deferment, or substitution of the applicable screening requirement. The applicant has requested a substitution of the requirement. The City Council may approve this request if it finds the requirement of screening and/or buffering is impractical or unnecessary. The applicant is proposing to use the existing metal fence.

It is staff's opinion that while the metal fence is not aesthetically pleasing, it does provide screening and security for the adjacent properties. Following the public hearing, staff recommends that if the Council approves the request, that it includes a condition that requires the screening to be brought into compliance with the current screening standards at the earliest date of the following:

1. When the existing structure needs to be replaced due to deterioration as determined by the Building Official;
2. Upon replacement of any portion of the fence;

3. Upon improvements to the property that exceed 25% of the appraised property value at the time of the improvements; or
4. Four (4) years from the approval date of this request.

Attachments:



- Attachment 1 – Notification Map
- Attachment 2 – Applicant's Letter
- Attachment 3 – Site Pictures
- Attachment 4 – Aerial Map

# Screening Wall Substitution Request



Request: A request to use the existing metal fence instead of an 8-ft tall masonry wall.  
 Location: 1402 S. Peachtree Road  
 Applicant: Peachtree Apartments

## Legend

 Subject Property  
 Noticed Properties



PEACHTREE APARTMENT  
1402 S. PEACHTREE ROAD, MESQUITE, TX 75149

May 20, 2019

TO: CITY OF MESQUITE  
Attention: Department of Planning & Zoning

Re: The property at 1402 S. Peachtree Road : Fence Inspection

To Garrett Langford, AICP, Manager of Planning & Zoning :

We are responding to the city's building department request located at 1402 S. Peachtree Road to reconstruct the existing 3-sided metal fence to wood construction.

Thirteen (1) years ago, we hired contractors to reconstruct the entire fence due to safety issues in the residents. Prior to this, the property had experienced a series of break-ins from the fence into the property. This resulted in car break-ins and theft, which damaged the properties of the residents. After a series of calls to the police, the police recommended that we construct a metal fence instead of wood in an effort to (1) enhance the safety for residents at the property; and (2) to prevent further break-ins.

We quickly acted on this recommendation and hired a contractor to perform the work. The contractor then applied for and received a city permit. The fence has been in good condition for 13 years and has passed city inspections for the past 13 years. We have an adjoining neighbor who shares the fence for their property - and desires that the fence remain intact. After 13 years, this is the first year that we received this request from the city to reconstruct the fence to wood material.

Due to (1) the need to preserve the safety of the property residents and surrounding neighborhood; (2) to prevent further break-ins; and (3) our adjoining neighbor's desire to maintain the current fence; we respectfully request that the city allow the current metal fence to remain in place for the safety of the residents.

Respectfully,

Sign by owner

A handwritten signature in blue ink, appearing to be "L. Langford", is written over a horizontal line.











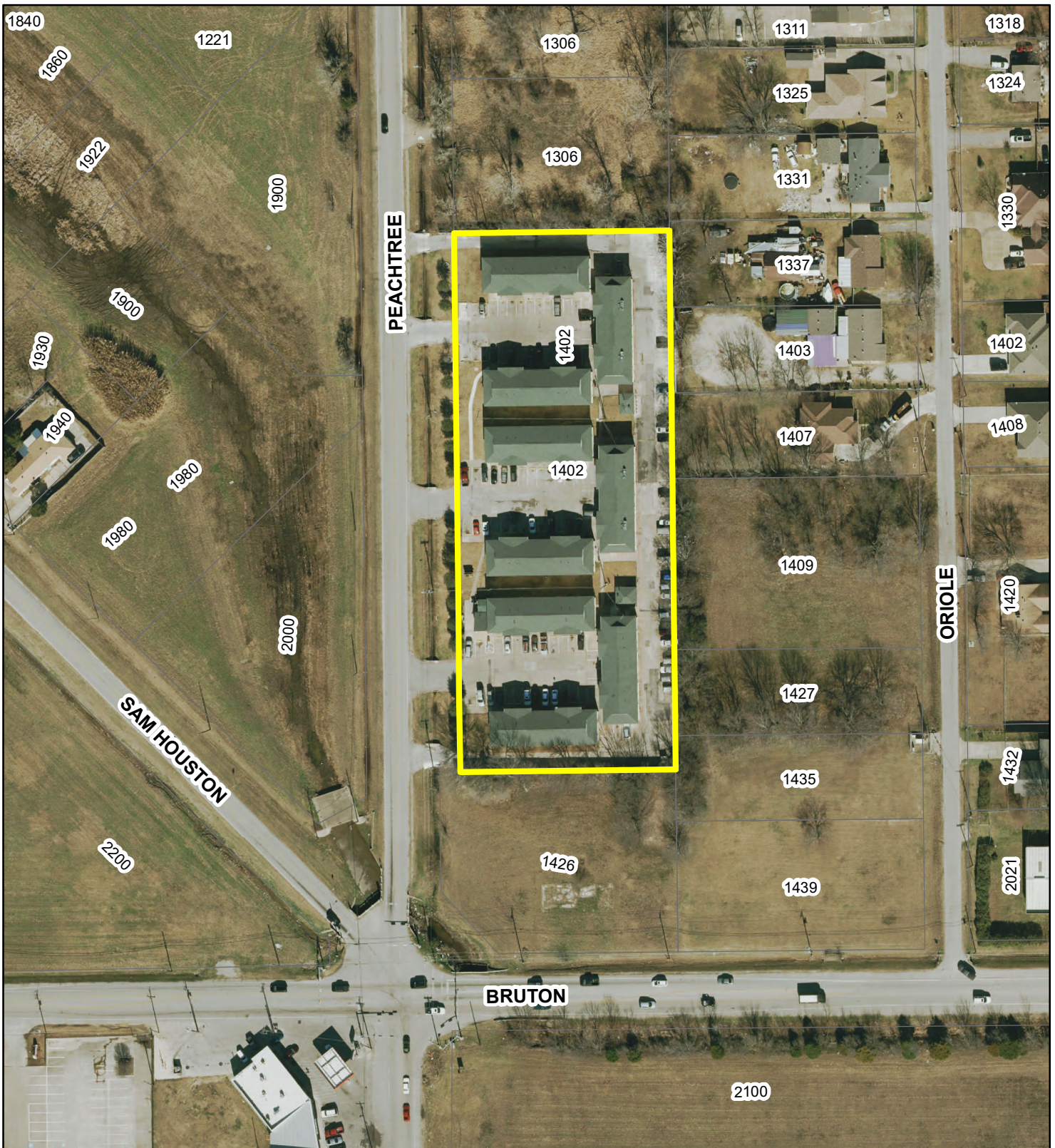








# Screening Wall Substitution Request Attachment 4



Request: A request to use the existing metal fence instead of an 8-ft tall masonry wall.  
Location: 1402 S. Peachtree Road  
Applicant: Peachtree Apartments

## Legend

Subject Property

