

**MINUTES OF THE WORK SESSION AND REGULAR MEETING
OF THE ZONING BOARD OF ADJUSTMENT OF THE
CITY OF NORTH RICHLAND HILLS, TEXAS
HELD IN THE CITY HALL 4301 CITY POINT DRIVE
JANUARY 26, 2023**

WORK SESSION: 6:30 PM

A. CALL TO ORDER

The Zoning Board of Adjustment of the City of North Richland Hills, Texas met in work session on the 26th day of January 2023 at 6:30 p.m. in the City Council Chamber prior to the 7:00 p.m. regular Zoning Board of Adjustment meeting.

Present:	Tom Duer	Place 5, Chair
	Steve Koons	Place 4, Vice Chair
	Jim Kemp	Place 1
	Scott Walsh	Place 3, Alternate
	Doris Elston	Place 7

Absent:	Dustin Coniff	Place 2, Alternate
	Bill Gibbs	Place 6

Staff Members:	Clayton Comstock	Planning Director
	Clayton Husband	Principal Planner
	Emily Marlow	Planning Technician

Chair Duer called the work session to order at 6:32 p.m.

1 PLANNING DIRECTOR REPORT

Planning Director Clayton Comstock provided an update on City Council actions, development activity, and announcements.

2 DISCUSS ITEMS FROM THE REGULAR ZONING BOARD OF ADJUSTMENT MEETING.

Principal Planner Clayton Husband summarized the items on the agenda.

Chair Duer adjourned the work session at 7:00 p.m.

REGULAR MEETING: 7:00 PM

A. CALL TO ORDER

Chair Duer called the meeting to order at 7:05 p.m.

Present:	Tom Duer	Place 5, Chair
	Steve Koons	Place 4, Vice Chair
	Jim Kemp	Place 1
	Scott Walsh	Place 3, Alternate
	Doris Elston	Place 7

Absent:	Dustin Coniff	Place 2, Alternate
	Bill Gibbs	Place 6

Staff Members:	Clayton Comstock	Planning Director
	Clayton Husband	Principal Planner
	Emily Marlow	Planning Technician

A.1 PLEDGE

Chair Duer led the Pledge of Allegiance to the United States flag.

A.2 PUBLIC COMMENTS

There were no requests to speak from the public.

B GENERAL ITEMS

B.1 ZBA22-0006 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM DAVID SALGADO FOR A VARIANCE FROM SECTION 118-873 (SCREENING WALL AND FENCE CRITERIA) OF THE NORTH RICHLAND HILLS ZONING ORDINANCE AT 7933 JOREEN DRIVE, BEING 0.363 ACRES DESCRIBED AS LOT 26, BLOCK 5, CLEAR VIEW ADDITION.

APPROVED

Chair Duer read the rules and regulations of the Zoning Board of Adjustment. He stated alternate Board member Scott Walsh may participate in the discussion of the items and would be voting on the items as there are four regular members present.

Chair Duer opened the public hearing and called for Principal Planner Clayton

Husband to introduce the request. Mr. Husband introduced the request.

Chair Duer called for the applicant to present the request and be sworn in prior to speaking.

David Salgado, 7929 Joreen Drive, North Richland Hills, Texas, was sworn in by Chair Duer and presented the request. He stated that he lives next door to the subject property and purchased it to renovate the house and property. He stated after removing brush from the property's chain link fence, he was contacted by code compliance because the fence did not meet the standards required for swimming pools. He discussed how building a new fence at the setback line would affect the layout of the property and encroach into the swimming pool decking. The applicant presented signatures from neighbors that supported the request.

Vice Chair Koons asked the applicant how far the existing fence is from the street. Mr. Salgado responded that the existing fence is nine feet from the street.

Chair Duer asked the applicant how far the proposed fence is from the existing pool deck. Mr. Salgado responded that the fence is twenty-two (22) feet from the pool deck.

Board Member Walsh and the applicant discussed prior permits for the subject property.

Chair Duer, Mr. Husband, and the applicant discussed the possibility of moving the fence back from the property line in order to improve sight visibility at the corner and adjacent driveway.

Vice Chair Koons, Board Member Walsh, and the applicant discussed future construction plans on the site.

Chair Duer called for Principal Planner Clayton Husband to present the staff report. Mr. Husband presented the staff report.

Board Member Kemp and Mr. Husband discussed the existing fencing on the property and whether it was compliant with code standards.

Board Member Walsh, Mr. Husband, and Planning Director Clayton Comstock discussed fencing requirements for swimming pools.

Chair Duer called for anyone wishing to speak for or against the request to come forward. There being no one else wishing to speak, Chair Duer closed the public hearing.

Chair Duer and Vice Chair Koons asked the applicant if existing chain link fence will be replaced.

A MOTION WAS MADE BY CHAIR DUER, SECONDED BY BOARD MEMBER KEMP, TO APPROVE ZBA22-0006 WITH THE FOLLOWING CONDITIONS: 1) THE FENCE MUST BE CONSTRUCTED AT LEAST TEN FEET FROM THE PROPERTY LINE ON STANDLEY STREET OR TWENTY FEET FROM THE FACE OF THE CURB; 2) THE EXISTING WOOD FENCE MUST BE MODIFIED SO THAT ALL PARTS OF THE FENCE ARE CONSTRUCTED AT LEAST TEN FEET FROM THE PROPERTY LINE ON STANDLEY STREET OR TWENTY FEET FROM THE FACE OF THE CURB; AND 3) THE EXISTING CHAIN LINK FENCE MUST BE REMOVED FROM THE PROPERTY IN ITS ENTIRETY.

MOTION TO APPROVE CARRIED 5-0.

B.2 ZBA22-0007 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM TRENT PROPERTIES, LLC FOR A VARIANCE FROM SECTION 118-313 (LOT AND AREA REQUIREMENTS) OF THE NORTH RICHLAND HILLS ZONING ORDINANCE AT 7305 SMITHFIELD ROAD, BEING 0.287 ACRES DESCRIBED AS LOT 6, BLOCK 1, LEE'S CROSSING.

APPROVED

Chair Duer called Principal Planner Clayton Husband to introduce the request. Mr. Husband introduced the request.

Chair Duer called for the applicant to present the request and be sworn in prior to speaking.

Chris Trent, 7301 Smithfield Road, North Richland Hills, Texas, was sworn in by Chair Duer and presented the request. He stated that he is the owner of the property and proposed that the 47-foot wide public access, drainage, utility, and landscape easement be excluded from the rear yard open space calculation since the easement takes up over twenty-five percent of the lot area.

Board Member Walsh and the applicant discussed the development of the property

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and the surrounding lots in the subdivision.

Chair Duer and the applicant discussed how this property compares to surrounding properties in the subdivision. Mr. Trent stated this lot is one of the smallest lots in the development.

Chair Duer called for Principal Planner Clayton Husband to present the staff report. Mr. Husband presented the staff report.

Chair Duer and Mr. Husband discussed zoning history of the project and a similar case at the adjoining property.

Board Member Walsh and Mr. Husband discussed how a smaller open space area would affect the usability of the yard.

Chair Duer called for anyone wishing to speak for or against the request to come forward.

Doug Terry, 577 Oakley Avenue, Fort Worth, Texas came forward to speak in favor of the request. Mr. Terry discussed how the lot size was affected by the shape of the neighborhood to the west and the initial development of the property.

Chair Duer called for anyone wishing to speak for or against the request to come forward. There being no one else wishing to speak, Chair Duer closed the public hearing.

A MOTION WAS MADE BY BOARD MEMBER KEMP, SECONDED BY VICE CHAIR KOONS, TO APPROVE ZBA22-0007.

MOTION TO APPROVE CARRIED 5-0.

C. ADJOURNMENT

Chair Duer adjourned the meeting at 8:05 p.m.


Dr. Tom Duer, Chair

Attest:



Clayton Husband AICP, Secretary