

APPLICATION INFORMATION

Zoning Board of Adjustment Case ZBA24-0018
8341 Odell St, North Richland Hills, Texas

The following information was submitted with the application on the NRH E-SERVICES PORTAL on October 15, 2024.

DESCRIPTION

I am requesting a variance so that I may have a front yard fence for my safety, property, dog, and yard.

1. LIST THE PERTINENT SECTION(S) OF THE ZONING ORDINANCE AND INDICATE THE SPECIFIC VARIANCES BEING REQUESTED. IF NECESSARY, USE A SEPARATE SHEET.

Sec. 118-1. - Definitions.

Fence. Any construction or hedge greater than 30 inches in height and of any material, the purpose of which is to provide protection from intrusion (both physical and visual), to prevent escape, mark a boundary, or provide decoration. A wall and screening shall be considered a fence. Dikes and restraining walls for the purpose of retaining soil are not classified as a fence.

Sec. 118-873. - Screening wall and fence criteria generally.

(c) Front yards. Fences may only be allowed in front yards of property zoned for single-family residential and agricultural uses which have at least 100 feet of frontage on a street. Such fences shall be open air or nonsight-barring fences and shall meet the following standards:

Fences shall be wrought iron or ornamental metal, may have brick or stone columns spaced 20 to 50 feet on center, and shall be no greater than four feet in height.

Front yard fences greater than four feet and no higher than six feet in height may be permitted on residential lots greater than one acre in size with 200 feet or more of street frontage. Said fence shall be wrought iron or ornamental metal and shall have brick or stone columns spaced 20 to 50 feet on center. Such properties, if zoned AG, RE-1, or RE-2 may also be permitted a rural fence type as provided herein.

2. STATE THE GROUNDS FOR THE REQUEST AND DESCRIBE ANY SPECIAL CONDITIONS THAT CAUSE HARDSHIPS THAT, IN YOUR OPINION, JUSTIFY THE VARIANCE(S) BEING REQUESTED. EXAMPLES OF SPECIAL CONDITIONS ARE: TOPOGRAPHY, CREEKS, UTILITY LINES, IRREGULAR LOT OR TRACT SHAPES, ETC. THE ZONING BOARD OF ADJUSTMENT MUST DETERMINE THAT SPECIAL CONDITIONS EXIST BEFORE MAKING A MOTION TO APPROVE A REQUEST. IF IT IS DETERMINED THAT SPECIAL CONDITIONS DO NOT EXIST, THE MOTION MUST BE TO DENY THE REQUEST.

My lot leads to a utility easement and drainage ditch. Since buying my house in 2022 my yard on both sides has been used as a traffic way for strangers. They have been using my yard to enter and loiter in the drainage ditch. Frequently, teenage children meet up and hang out in my yard, urinate, use disparaging remarks toward me, and threaten my dog. I am requesting a fence that encloses my yard, front to back which is aluminum, open, and 4 feet tall. I do not believe this discourages neighborhood uniformity as many different houses on my block are built by individual builders in different decades. There is not a standard build.

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3. EXPLAIN ANY SPECIAL CIRCUMSTANCES, IF APPLICABLE, NOT CONSIDERED BY THE ZONING ORDINANCE. EXAMPLES: (1) IF THE SUBDIVISION PLAT WAS APPROVED PRIOR TO THE CURRENT ZONING ORDINANCE REQUIREMENTS; OR (2) THE ZONING ORDINANCE WAS AMENDED OR A POLICY CHANGE WAS ADOPTED AFTER SUBMITTING AN APPLICATION FOR A BUILDING PERMIT OR OTHER PHASE OF THE DEVELOPMENT PROCESS.

I hired Buzz Custom Fence to complete the fence project on my property, believing the contractor would handle all permits and the fence would be built to North Richland Hills city code.