

**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**

**APRIL 26, 2018**

**WORK SESSION**

**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 April 2018 at 6:30 p.m. in the City Council Workroom prior to the 7:00 p.m. regular session.

Present:	Tom Duer	Place 5, Chairman
	Jim Kemp	Place 1
	Fonda Kunkel	Place 4
	Bill Gibbs	Place 6
	Doris Elston	Place 7
	Robert Housewright	Place 3, Alternate

Absent:	Brian Crowson	Place 2, Alternate
---------	---------------	--------------------

City Staff:	Clayton Comstock	Planning Manager
	Clayton Husband	Principal Planner
	John Chapman	Planning Technician

Chairman Tom Duer called the work session to order at 6:36 p.m.

**A.1 PLANNING MANAGER REPORT**

Planning Manager Clayton Comstock announced upcoming events throughout the city and provided an update to the TEXRail commuter rail project.

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

Planning Manager Clayton Comstock presented a historical analysis of front yard fencing regulations and requirements for the City of North Richland Hills.

Chairman Tom Duer asked how fence types are distinguished. Mr. Comstock stated

April 26, 2018

Zoning Board of Adjustment Meeting Minutes

Page 1 of 5

fencing types are regulated based on the width the property and zoning.

## **REGULAR MEETING**

### **A. CALL TO ORDER**

Chairman Tom Duer called the meeting to order at 7:02 p.m.

Present:	Tom Duer	Place 5, Chairman
	Jim Kemp	Place 1
	Fonda Kunkel	Place 4
	Bill Gibbs	Place 6
	Doris Elston	Place 7
	Robert Housewright	Place 3, Alternate
Absent:	Brian Crowson	Place 2, Alternate
City Staff:	Clayton Comstock	Planning Manager
	Clayton Husband	Principal Planner
	John Chapman	Planning Technician

### **A.1. PLEDGE OF ALLEGIANCE**

Chairman Tom Duer led the Pledge of Allegiance to the United States flag.

### **B. MINUTES**

#### **B.1. APPROVE MINUTES OF THE SEPTEMBER 28, 2017, ZONING BOARD OF ADJUSTMENT MEETING.**

#### **APPROVED**

**MOTION WAS MADE BY BOARD MEMBER JIM KEMP, SECONDED BY BOARD MEMBER FONDA KUNKEL TO APPROVE MINUTES OF THE SEPTEMBER 28, 2017, ZONING BOARD OF ADJUSTMENT MEETING MINUTES.**

**MOTION TO APPROVE CARRIED 5-0.**

### **C. GENERAL ITEMS**

April 26, 2018

Zoning Board of Adjustment Meeting Minutes

Page 2 of 5

**C.1. BA 2018-01 PUBLIC HEARING AND CONSIDERATION OF A REQUEST FROM JAMES AND KIMBERLEE SCOTT FOR A ZONING VARIANCE TO NORTH RICHLAND HILLS ZONING ORDINANCE SECTION 118-873 - SCREENING WALL AND FENCE CRITERIA AT 7416 BURSEY ROAD, BEING 1.92 ACRES DESCRIBED AS LOT 1, BLOCK 1, OAKVALE ADDITION.**

**APPROVED**

Chairman Tom Duer explained to those in attendance the rules and regulations related to the function of the Zoning Board of Adjustment.

Chairman Duer introduced the item and called for Principal Planner Clayton Husband to introduce the request. Mr. Husband introduced the request.

Chairman Duer swore in James Scott and asked Mr. Scott to present the request.

James Scott, 9100 Belshire, North Richland Hills, Texas 76180 presented the request. Mr. Scott detailed the positioning of the fence and the length of the physical street frontage being about 206 feet compared to the boundary of the front property line being 186 feet. Mr. Scott presented the Board with exhibits of the proposed fence.

Board Member Jim Kemp asked why Mr. Scott needs a six-foot fence. Mr. Scott stated the height of the fence is for the safety of his grandchildren.

Chairman Duer asked if more columns could be added. Mr. Scott stated yes, more columns could be added.

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

Mr. Husband provided three options for how the Board could vote on the item. First, to approve the variance as presented. Second, to approve the variance with conditions. Third, to deny the request.

Chairman Duer asked if there is any plan to widen Bursey Road. Mr. Husband stated there are no current plans to widen Bursey Road.

Chairman Duer stated if the street is busy, a six-foot fence should be allowed to resolve the safety issues mentioned by the applicant.

Chairman Duer asked the applicant if Atmos Energy has contacted them concerning the proposed fencing. Mr. Scott stated Atmos Energy does not allow for construction on or in the utility easements. The applicant stated the fence will be at least 20-feet from any Atmos Energy infrastructure.

Chairman Duer and Mr. Scott discussed the number of columns being proposed. Chairman Duer stated again that more columns would be considered as part of the motion. Board Member Jim Kemp stated the columns would be a deterrent for cars driving down Bursey Road.

Chairman Duer asked for confirmation on the request. Mr. Husband stated the request is for the height of the fence. Chairman Duer asked if a stipulation could be made to require the fence be built subject to the columns being placed under the rules for rural fences. Mr. Husband stated yes.

Board Member Fonda Kunkel stated a residence on Douglas was also given a variance. Mr. Husband confirmed the variance was for the brick column requirement on a wrought iron fence from 1996.

**A MOTION WAS MADE BY CHAIRMAN TOM DUER, SECONDED BY BOARD MEMBER JIM KEMP TO APPROVE BA 2018-01 AS PRESENTED SUBJECT TO BRICK COLUMNS BE BUILT ON THE WEST AND EAST CORNER OF THE NORTHERN FENCE LINE AS WELL AS ON EACH SIDE OF THE GATES, AND 2 BRICK COLUMNS BE ADDED BETWEEN THE DRIVEWAYS WITH BRICK COLUMNS NOT BEING REQUIRED ON THE EAST OR WEST PROPERTY LINE FOR A TOTAL OF EIGHT COLUMNS.**

**MOTION TO APPROVE CARRIED 5-0.**

Chairman Tom Duer and staff discussed construction standards of the columns.

Board Member Bill Gibbs stated no trees should be removed. The applicant stated no trees are planned to be removed.

Planning Manager Clayton Comstock stated his appreciation to Mr. and Mrs. Scott

April 26, 2018

Zoning Board of Adjustment Meeting Minutes

Page 4 of 5

for their continued work with staff.

Board Member Fonda Kunkel, Chairman Tom Duer, and staff discussed the possibility of amending the motion to allow there to be only one column between the driveways in order to save any trees. The motion was not amended.

**D. ADJOURNMENT**

Chairman Tom Duer adjourned the meeting at 7:49 p.m.

---

Tom Duer, Chairman

Attest:

---

John Chapman, Secretary