



## ZONING BOARD OF ADJUSTMENT

### SELECT APPLICATION TYPE

☐ Interpretation    ☐ Permit for Nonconformity    ☐ Discontinuance of Nonconformity    ☒ Variance

### DEVELOPMENT INFORMATION

Property Address 6766 Mike Dr.  
Legal Description Lot 19 Block 05 Hillview Addition Section 04  
Current Zoning Single Family Acreage .03  
Current Use Single Family

### OWNER INFORMATION

Name G.E. Wilburn  
Address 1322 Alvera Lane  
City Wynnewood State OK ZIP 73098  
Phone NA Email NA

For additional owners, please include additional copies of this page. The property owner must sign the application or submit a notarized letter of authorization.

### REPRESENTATIVE/AGENT INFORMATION

Name Bob Wilburn  
Address 900 Aaron Way  
City Southlake State TX ZIP 76092  
Phone [REDACTED] Email [REDACTED]

### CERTIFICATION

I certify that the above information is correct and complete to the best of my knowledge and ability, and that I will be fully prepared to present the proposal at a Zoning Board of Adjustment meeting. I reserve the right to withdraw this proposal at any time by filing a written request with the Planning & Zoning Department.

[REDACTED] 9-6-19 GENE EDWARD WILBURN  
Date Owner Name (print)  
[REDACTED] 9-6-19 ROBERT WILBURN  
Date Agent Name (print)

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1. List the pertinent section(s) of the zoning ordinance and indicate the specific variances being requested. If necessary, use a separate sheet.

Requesting that a single family residence of 1350 sq. ft. be constructed.

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. If necessary, use a separate sheet.

1. Fire damaged preexisting single family home.
2. We want to build back a home of similar size as before.
3. We want the new structure to match the size and style of the existing homes in the neighborhood.
4. We can't afford nor do we need a house any larger than 1350 sq. ft.

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. If necessary, use a separate sheet.

1. Our house was burned down caused by natural events.

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## APPLICATION SUBMITTAL REQUIREMENTS

Applications submitted without original signatures and all required documents and information will not be reviewed, and will be returned to the applicant for revision. Please be sure that all required items are included for the type of application requested.

The Zoning Board of Adjustment meets on the fourth Thursday of each month, as needed. The application submittal deadline is 5:00 PM on the last Friday of each month. Applications are scheduled for public hearing at the regularly scheduled meeting in the following month.

Zoning Board of Adjustment information is available online in [Chapter 118 of the North Richland Hills Code of Ordinances](#). If you have questions about the application process or any submittal requirements, please call the Planning and Zoning Department at 817-427-6300.

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## SUMMARY OF THE ZONING BOARD OF ADJUSTMENT

The Board of Adjustment shall have the powers and exercise the duties of a Board in accordance with [Section 211.009](#) of the Texas Local Government Code. Board members are representatives of the City and shall have the right to inspect premises where required in the discharge of their responsibilities under the laws of the State of Texas and the ordinances of the City of North Richland Hills. The Board's jurisdiction shall extend to and include the hearing and deciding of the following topics of appeals and applications, and to that end shall have the necessary authority to ensure continuing compliance with its decision. The Board of Adjustment, in specific cases, may authorize or order the following:

- **Interpretation.** Hear and decide appeals where it is alleged there is error on any order, requirement, decision, or interpretation of the zoning regulations by the Building Official in the enforcement of this ordinance or a zoning district boundary. In reaching its decision, the Board shall establish firm guidelines for future administrative actions on like matters.
- **Permits for nonconformity.** Authorize a building permit for the reconstruction, extension, or enlargement of a building occupied by non-conforming uses, on the lot or tract occupied by such building, provided such reconstruction does not prevent the potential return of such property to a conforming use.
- **Discontinuance of nonconformity.** Require the discontinuance of non-conforming uses of land or structures under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity of all property to conform to the regulations of the zoning ordinance. All actions to discontinue a non-conforming use of land or structure shall be taken with due regard to the property rights of the persons affected when considered in light of the public welfare and the character of the area surrounding the designated non-conforming use and the conservation and preservation of the property. The Board may, from time to time on its own motion or upon cause presented by interested property owners, inquire into the existence, continuation, or maintenance of any non-conforming use within the city.
- **Variances.** Authorize upon appeal, in specific cases, such variance from the terms of the zoning ordinance that are not contrary to the public interest, and where, because of special conditions, the enforcement of the ordinance would result in an unnecessary hardship. However, the Board shall not have the power to grant variances from the terms of the zoning ordinance for a change in use not allowed in a district. In exercising its powers to grant a variance, the Board of Adjustment shall make findings and show in its minutes that:
  - a. Literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property.
  - b. The situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district.
  - c. The relief sought will not injure the permitted use of adjacent conforming property.
  - d. The granting of the variance will be in harmony with the spirit and purposes of the zoning regulations.

## APPLICATION REQUIREMENTS CHECKLIST

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The following items are required with all applications.

- ☐ Zoning Board of Adjustment application form
- ☐ Application filing fee as required by the NRH Fee Schedule
- ☐ Building permit application
  - If the request is related to new construction or an addition to a building, a copy of the denied building permit application and plan review comments must be included.
- ☐ Property map or survey
  - One paper copy and one digital (PDF) copy of an exhibit that includes the following information. Exhibit should not be larger than 11" x 17".
    - Boundaries, dimensions, and square footage of the property
    - Location and dimensions of all existing and proposed buildings and structures
- ☐ Additional information
  - Drawings, photographs, written narratives, and other relevant information may be submitted with the application.