



**FENCE VARIANCE APPLICATION**

<b>SIGNATURES:</b>	
Applicant / Agent: _____	Property Owner (if different): _____
Signature: _____	Signature: _____
Mailing Address: _____	Mailing Address: _____
City: _____ State: _____ Zip Code _____	City: _____ State: _____ Zip Code _____
Telephone ( ) _____	Telephone ( ) _____
Fax ( ) _____	Fax ( ) _____
Email: _____	Email: _____

Applicant is requesting an appeal/interpretation for Article & Section No.: \_\_\_\_\_

Describe requested variance (Provide additional sheets if necessary)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Applicant hereby appeals this case to the Zoning Board of Adjustment for review and a decision. I do hereby certify that the above statements are true and correct.

Date \_\_\_\_\_ Applicant's signature \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me \_\_\_\_\_, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed it.

WITNESS my hand and official seal: \_\_\_\_\_ [Seal]



## APPLYING FOR A FENCE VARIANCE

The City of Euless Zoning Board of Adjustment (ZBA) has the authority to regulate all free standing fences and walls within the city. These regulations are designed to promote safety, preserve property value, promote the general welfare of the city, and to enhance the aesthetic quality of the community.

### INSTRUCTIONS

**Conditions of Approval:** In making a decision regarding a requested Fence Variance, the ZBA considers whether substantial reasons exist why the property cannot be used in accordance with current regulations, and whether the proposed change would:

- Adversely affect the interest of the City of Euless;
- Adversely affect the neighboring property owners;
- There is, in the board's opinion, a hardship on the land, and that the hardship is not a personal or self-created hardship.

**Staff Review:** The application for Fence Variance will first be reviewed by City Staff on the Development Services Group (DSG) for compliance with City codes, regulations, and policies. The following items must be submitted to the Planning and Development Department by noon on Monday in order to be distributed in the staff meeting the following day. All plans submitted shall be folded to approximately 8"x9", with the title on top.

- Letter requesting to be heard by the ZBA for a variance including a statement of the nature of variance being requested and the address of the property
- An application fee of **\$150.00** to be paid in full prior to any public notification or being placed on the board's agenda
- Ten (10) copies of a site survey along drawn to scale showing property lines, structures, physical constraints, and any other physical feature of the property which may illustrate the need for the variance
- One (1) digital file copy in .pdf format.
- The Fence Variance Questionnaire- see attached document

**3. Zoning Board of Adjustment Review:** After staff comments are forwarded to the applicant and a revised plan is prepared, the revised plan is reviewed again by the DSG. If the revised plan conforms to City codes, regulations, and policies, it is certified as such and placed on the ZBA agenda.

Public hearings prior to the ZBA decision are required for all fence variance cases in order to give citizens who may be affected by the proposed change an opportunity to voice their support or opposition. When the case is certified and placed on the ZBA agenda, notices of the proposed change are sent to all property owners within 200 feet of the property prior to the ZBA meeting. At the ZBA meeting, the Board first holds the public hearing and then decides on the request based on the staff report and public input.

**Presentation:** It is recommended that applicants prepare a brief presentation on their proposal for each public hearing. Maps, slides, and handouts are helpful. The applicant should make the presentations, but it is recommended that the property owner also be present at the hearing to answer any questions if necessary. Applicants may want to include in their presentation:

- Present and proposed fence locations
- Compatibility of proposed variance with surrounding zoning and land uses
- Important physical features such as topography, roadways, or creeks
- A statement of the need for the proposed Fence Variance
- Evidence of support from adjacent landowners

Further information on the Fence Variance can be found by calling the City of Euless Planning and Development Department at 817-685-1623 between 8:00 a.m. and 5:00 p.m. Monday through Friday or by looking at the Unified Development Code online at: [www.eulesstx.gov](http://www.eulesstx.gov)

## FENCE VARIANCE QUESTIONNAIRE

The City of Euless Zoning Board of Adjustment can grant a variance only when certain conditions are met. This questionnaire will assist the Commission in determining whether the property in question meets the necessary conditions for a variance. Please complete and submit this form, using additional sheets if necessary.

1. How will public convenience and welfare be substantially served if the variance is granted?
2. How will granting this variance affect neighboring properties and what steps will be taken to prevent any substantial or permanent injury to neighboring properties.
3. How would the literal enforcement of the Code requirements result in an unnecessary physical hardship on the subject property?
4. Describe the physical defect in the subject property that prevents it from being developed in the same manner as neighboring properties
5. Variances cannot be granted to relieve self-created, personal, or financial hardships. Describe the hardship for which the variance is being requested.
6. Will the granting of this variance create a special privilege for the subject property that is not available for other properties under the terms of the United Development Code?