



# Zoning Board of Adjustment

## Variance Request and Justification Information

1. State the section of the Unified Development Code or Describe the regulation for which you are requesting a variance:

**Section 9.08 - Fencing requirements in Multi-Family and non-residential districts; F. Wood, barbed wire, or chain link fencing is prohibited unless specifically requested on a site plan and approved by the City Council. When a site plan is not applicable, the Zoning Board of Adjustment may consider variances to this requirement.**

2. Describe how your request will differ from the requirement(s) of the Code:

**The old chain-linked fence was rebuilt using ornamental iron, but I used horizontal 6' stained wood planks instead of iron posts as per code. (Please see photos in the attachment)**

3. Describe how the situation causing the hardship or difficulty is neither self imposed nor generally affecting all or most properties in the same zoning district:

**I unknowingly rebuilt the old chain-linked fence using ornamental Iron and wood. Given its location on Keller Parkway, I aimed to make the property look more modern and up-to-date and improve its curb appeal. The feedback I have received from the neighbors, local citizens, and passersby has been very positive and supportive.**

4. Describe how literal enforcement of the regulation will create an unnecessary hardship or practical difficulty in the development of this property:

**The time and cost to demolish and rebuild the new fence would be very high. Furthermore, leaving the property with no fence at all would not help the overall look of the area, not to mention that we would then be susceptible to people dumping trash and dirt, which has happened many times. Finally, the new fence is a good screening of the undeveloped lot in the back of the property and has dramatically improved the area's overall look.**

5. Explain how the variance requested will not negatively impact the adjacent property:

**The fence is along the south side of the property, so it does not border or cause hardship for any of my neighbors. Today, the fence looks great, and the feedback from the staff at Smoothie King to the east and Regions Bank to the west of the property has been very positive.**

6. Explain how the granting of the variance will be in harmony with the spirit and purpose of the regulation:

**I understand why a wood fence may be seen as a low-quality option, but the design and quality of the fence we have completed is beautiful, modern, and built to look great for years to come, which is the overall goal of the regulation. Thank you, and I look forward to answering any questions you may have, in the hope of getting this request approved. (photos and site survey are attached)**