



**NOTICE AND AGENDA  
ZONING BOARD OF ADJUSTMENT  
THURSDAY, APRIL 28, 2022, 6:30 PM  
ZONING BOARD OF ADJUSTMENT MEETING**

Notice is hereby given that the Zoning Board of Adjustment of the City of Glenn Heights, Texas, will hold a Meeting on Thursday, April 28, 2022, beginning at 6:30 P.M. in the City Hall, City Council Chambers, located at 1938 South Hampton Road, Glenn Heights, Texas, 75154, as prescribed by Vernon's Texas Civil Statutes, Government Code Section §551.041, to consider and possibly take action on the following agenda items. Items do not have to be taken in the same order as shown in this meeting Notice and Agenda.

This Notice and Meeting Agenda, and the Agenda Packet, are posted online at <https://www.glennheightstx.gov/129/Agendas-Minutes>.

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**PUBLIC COMMENT**

**AGENDA**

1. **Zoning Case 22-001-ZBA:** Public hearing to receive testimony concerning a variance request by Wesley Johnson for the property located at 2505 South Hampton Road, Glenn Heights, Ellis County, Texas. The 1.47-acre parcel is lot 28 block 2 Cinnamon Springs Phase I addition and zoned Single-Family 1. Section 15.02.094 of the City of Glenn Heights Code of Ordinance requires residential fences to be located in the designated rear and side yard only.
  
2. Discuss and take action on a variance request by Wesley Johnson for the property located at 2505 South Hampton Road, Glenn Heights, Ellis County, Texas. The 1.47-acre parcel is lot 28 block 2 Cinnamon Springs Phase I addition and zoned Single-Family 1. Section 15.02.094 of the City of Glenn Heights Code of Ordinance requires residential fences to be located in the designated rear and side yard only.

**ADJOURNMENT**

In accordance with the Americans with Disabilities Act, If you are a person with a disability and require information or materials in an appropriate alternative format; or if you require any other accommodations, please contact the City Secretary at least 48 hours in advance of the event at 972-223-1690 ext. 125 or email

[brandi.brown@glennheightstx.gov](mailto:brandi.brown@glennheightstx.gov). Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

I, Brandi Brown, City Secretary, do hereby certify that the above Meeting Notice and Agenda was posted in a place convenient to the Public at Glenn Heights City Hall, 1938 South Hampton Road, Glenn Heights, Texas by 6:00 P.M. on Monday, April 25, 2022.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in closed session with its attorney at any time during the course of this meeting and to receive legal advice regarding any item listed on this agenda.

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Brandi Brown, City Secretary



# AGENDA SUMMARY SHEET

April 28, 2022

## AGENDA, ITEM 1

**Zoning Case 22-001-ZBA:** Public hearing to receive testimony concerning a variance request by Wesley Johnson for the property located at 2505 South Hampton Road, Glenn Heights, Ellis County, Texas. The 1.47-acre parcel is lot 28 block 2 Cinnamon Springs Phase I addition and zoned Single-Family 1. Section 15.02.094 of the City of Glenn Heights Code of Ordinance requires residential fences to be located in the designated rear and side yard only.

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Motion	
Second	
For	
Against	
Abstain	
Approve/ Deny/ Table	




# AGENDA SUMMARY SHEET

April 28, 2022

## AGENDA, ITEM 2

Discuss and take action on a variance request by Wesley Johnson for the property located at 2505 South Hampton Road, Glenn Heights, Ellis County, Texas. The 1.47-acre parcel is lot 28 block 2 Cinnamon Springs Phase I addition and zoned Single-Family 1. Section 15.02.094 of the City of Glenn Heights Code of Ordinance requires residential fences to be located in the designated rear and side yard only.

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Motion	
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# CITY OF GLENN HEIGHTS ZONING BOARD OF ADJUSTMENT REPORT

Date: April 28, 2022

## **SUBJECT**

Discuss and take action on a variance request by Wesley Johnson for the property located at 2505 South Hampton Road, Glenn Heights, Ellis County, Texas.

## **DISCUSSION / BACKGROUND**

### EXISTING POLICY

Section 15.02.094 of the City of Glenn Heights Code of Ordinances requires residential fences to be located in the designated rear and side yard only.

Fencing location standards apply to all residential properties, regardless of the size and development pattern of the lot.

### VARIANCE REQUESTS

In order to make a finding of undue hardship and to grant a variance, the Board must determine that:

1. The requested variance does not violate the intent of the Ordinance or its amendments.
2. Special conditions of restricted area, shape, topography, or physical features exist that are peculiar to the subject parcel of land and are not applicable to other parcels of land in the same zoning district.
3. The hardship is in no way the result of the applicant's own actions (not self-imposed) and does not generally affect all or most properties in the same zoning district.
4. The interpretation of the provisions in this Ordinance and all amending Ordinances would deprive the applicant of rights commonly enjoyed by other properties, in the same zoning district, that comply with the same provisions.

Fencing standards in other cities allow location in the front yard. Often, design restrictions are placed on front yard fences to maintain adequate visibility into the

property from the street. Generally, front yard fences are allowed up to at least four feet in height with a minimum of 50% transparency. Many cities allow front yard fences to a height of five feet with an additional approval, either a variance or special exception.

The homeowner at 2505 S. Hampton Road requests installation of a front yard fence five feet in height, with an open design to allow views into the property. The lot at 2505 S. Hampton Road differs from many of the residential lots in the City of Glenn Heights due to the size of the lot and the increased front yard setback. The house is located approximately 100 feet from the road. One reason for the increased setback relates to the type of street Hampton Road is. This is a main thoroughfare in the city with an increased level of traffic compared to typical residential streets. This road will likely need to be expanded in the future by adding travel lanes to increase capacity. This right-of-way expansion will likely occur on the west side of the road due to the number of residential lots developed on the east side of the road. Planned right-of-way expansion is often located on the least developed property. Even if Hampton Road is expanded on to this property, the remaining front yard setback will still exceed the typical in this zoning district.

The minimum front yard setback in Single Family-1 is thirty-five (35) feet. The minimum lot size is 20,000 square feet. The lot located at 2505 S. Hampton Road is over 64,000 square feet. This deviation from standard lot size provides an additional unique condition peculiar to this parcel of land.

**PRIOR COUNCIL OR BOARD ACTION**

Not applicable.

**PUBLIC CONTACT**

Notices were mailed to adjacent property owners within two hundred feet (200') of the subject property on April 13, 2022. No public comments were received at the time of this report.

**FINANCIAL IMPACT**

Not applicable.

**RECOMMENDATION / ALTERNATIVES**

Staff does see evidence of an undue hardship relative to the requested variance and recommends approval.

**ATTACHMENTS**

Not applicable.

**PREPARED BY**

Laura Voltmann, City Planner

**REVIEWED BY**

Brandi Brown, City Secretary