

SPECIAL FENCE PROJECT PLAN PROCEDURE

The purpose of the special fence project plan is to allow the owner of a tract of land the ability to request a modification of the zoning setback requirements as may apply to a fence or for a variance to the requirements of the city's fence ordinance without necessarily requiring City Council action.

In order to apply for a variance to the fencing requirements of the zoning ordinance or the fence ordinance, you must supply the Planning and Development Department with the following informational items:

1. Complete the Special Fence Project Plan application form (Rezoning Application). All items should be complete including signature and correct legal description.
2. A filing fee of \$250.00 in cash or check is required. All checks should be made payable to the City of Irving.
3. A scale drawing of the lot or the tract which contains:
 - a. Dimensions and property line of the lot or tract;
 - b. The location, dimension, type and height of the fence;
 - c. Date, scale, north point, name of owner and name of person preparing the special fence project plan; and
 - d. A list of variances requested from the fence ordinance and/or the zoning ordinance.
4. The application shall also include such other information as the city staff may require, including but not limited to:
 - a. Location and size of points of ingress and egress to public or private streets;
 - b. Location and size of existing and proposed streets and alleys which are abutting the property; and
 - c. Topographic information if the property is not platted and the proposed fence is within fifteen (15) feet of a public or private street or alley.
5. If the proposed fence is to be constructed within a utility easement adjacent to a street right-of-way, the policy established by the Public Works Department for issuing fence permits along street rights-of-way, must be adhered to.
6. Six (6) copies of the required drawing must be submitted with the application. Additional copies shall be provided as requested by the city's staff.

A special fence project plan must undergo the following reviews and actions:

1. Initial Application:

Upon initial application, the applicant will submit all required information. He/She will then be advised as to the date of the Technical Committee review and the tentative date of the Planning and Zoning Commission public hearing.

2. Technical Committee Review:

Technical Committee reviews are held on the Tuesday following the cut-off date. It is not necessary for the applicant to attend this meeting. Immediately following the meeting, the applicant will be notified, by mail, of the Technical Committee comments and the date by which all materials will be due in the Planning and Development Department

This deadline must be observed in order to allow the item to be heard by the Planning and Zoning Commission at the public hearing.

3. Planning and Zoning Commission Public Hearing:

All real property owners within 200 feet of the applicant's property, as well as the applicant, will receive a "Notice of Public Hearing". This notice will give the date, time and location of the public hearing.

The public hearing is held every other Monday at 7:00 pm, in the Council Chambers of the Civic Center Complex, 825 West Irving Boulevard, Irving, Texas. All proponents and opponents of the request are given an opportunity to be heard by the Commission.

Generally, unless more time is needed, the Planning and Zoning Commission will reach a decision either to approve or deny the request. The Planning and Zoning Commission may add, modify or delete such conditions and restrictions on the granting of a special fence project plan as they may deem in the interest of the public health, safety, and welfare. After the granting of the special fence project plan, there will be a ten (10) day period before any permits are issued.

4. City Council Public Hearing:

In the event that any applicant, city manager or his designee, or council person objects to the action of the Planning and Zoning Commission in regard to a request for special fence project plan approval, such person may file an appeal with the Director of Planning and Development within ten (10) days of said action. The City Council shall hear and decide any appeals after the same notification procedures as outlined above.

If you have any questions, please call Planning and Development Department at 972-721-2424.

PUBLIC WORKS DEPARTMENT
POLICY FOR
ISSUING FENCE PERMITS ALONG STREET RIGHT-OF-WAY

Prior to issuance of a permit for any fence or wall to be built in a utility easement adjacent to a street right-of-way, two (2) sets of detailed construction plans shall be submitted showing the location of the wall in relation to any right-of-way lines or easement lines, (including gas, telephone, electrical, etc.), and a profile showing pier depths and locations and their relationship to any utilities the wall may be crossing. One set of these plans stamped approved by the Department of Public Works must be received prior to a permit being issued. In addition, the applicant must coordinate the design with all other utilities, obtain the authorized signature of each utility company representative, and return it to Building Inspection prior to issuance of a permit.

Questions regarding this policy should be directed to the Public Works Department at 972-721-2611