



City of Heath  
200 Laurence Dr.  
Heath, TX 75032  
972-961-4883

## FENCE VARIANCE APPLICATION

### APPLICANT:

### OWNER (IF DIFFERENT):

Name (printed): \_\_\_\_\_  
Property Address: \_\_\_\_\_  
Email Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

**The following information pertains to the location for which the variance is being requested:**

Street Address: \_\_\_\_\_

Legal Description (attach if necessary): \_\_\_\_\_

**I hereby certify that this application is complete per the requirements of Chapter 157 "Fences" of the Heath Code of Ordinances. I further understand this variance will be considered by the Heath City Council following a public hearing. It is necessary to have a representative present at the City Council meeting who is authorized to discuss this request. A Notice of Public Hearing will be mailed to all property owners within 500' of the subject property.**

Applicant's Signature \_\_\_\_\_ Date: \_\_\_\_\_

The following checklist is a summary of requirements for fence variance requests. The applicant should refer to Chapter 157 "Fences" of the Heath Code of Ordinances, other ordinances, maps, and codes available at City Hall and on the website at [www.heathtx.com](http://www.heathtx.com) that may pertain to this fence variance request. If the subject fence is a required swimming pool barrier, the fence must also meet the requirements of §150.40 and §150.41. In addition to paper submittals, electronic copies attached to an email addressed to [AFerrell@heathtx.com](mailto:AFerrell@heathtx.com) will be accepted. Graphics should be in a .pdf format.

- ☐ Completed Fence Variance Application and fee
- ☐ Completed Demonstration on page 2
- ☐ Site plan showing the location of the fence variance request and any other fences that conform to or are exempt from the fence ordinance. The site plans shall also indicate the building, landscaped areas, parking and approaches, and adjoining street right-of-way.
- ☐ If the fence is located within an area overseen by a homeowners or property owners association (or similar body) please provide a letter from the association including their support for the fence variance application.

City Office Use Only:	
Application Date:	
Application Fee:	Check # _____ CC _____ Cash _____
City Council Meeting Date:	
Notice Published (10 days prior to Public Hearing)	
Neighborhood Notices Mailed (10 days prior to Public Hearing)	

According to §157.08 (A) of the Heath Code of Ordinances, the City Council may allow a variance to the provisions of fence regulations, after a public hearing, if it determines that the enforcement of a provision in a particular instance:

1. Is not in the best interests of the public;
2. Constitutes waste or inefficient use of land or other resources;
3. Creates an undue hardship on the applicant for a permit; OR
4. Does not serve its intended purpose, is not effective or necessary.

**DEMONSTRATION:**

Please demonstrate that at least one of the following conditions are applicable to the requested fence variance:

- 1. Describe how this variance is in the best interests of the public.**
- 2. Describe how this variance creates an efficient use of land or other resources.**
- 3. Describe how DENYING this variance would create an undue hardship on the applicant.**
- 4. Describe how the specific regulation being violated does not serve its intended purpose, is not effective or necessary.**