



GARLAND

NOTICE OF MEETING

CITY OF GARLAND, TEXAS

**Board of Adjustment
Public Meeting
Council Chambers
William E. Dollar Municipal Building
200 N. Fifth Street
Garland, Texas
August 19, 2026
6:30 PM**

A meeting of the Board of Adjustment of the City of Garland, Texas will be held at the aforementioned location, date, and time to discuss and consider the following agenda items.

INVOCATION AND PLEDGE OF ALLEGIANCE: It is the custom and tradition of the members of the Board of Adjustment to have an invocation and recital of the Pledge of Allegiance prior to the beginning of the meeting. Members of the audience are invited to participate. However, members of the audience are not required to participate. The decision to participate is strictly a matter of personal choice and has no bearing on matters to be considered by the Board of Adjustment and will not affect the decisions to be made during the meeting.

NOTICE: The committee may recess from the open session and convene in a closed executive session if the discussion of any of the listed agenda items concerns attorney/client communication, including pending/contemplated litigation, settlement offer(s), and matters concerning privileged and unprivileged client information deemed confidential by Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct. Sec. 551.071, Tex. Gov't Code.

AGENDA:

1. APPROVAL OF MINUTES

- a. **Consider approval of the Board of Adjustment Minutes for the July 15, 2026 meeting.**

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- a. **BOA 26-05 Zaki Ferhan. The applicant is requesting a variance to Section 4.104(A) of the Garland Development Code (GDC), which restricts the height of a fence located within a property's front yard of a residential property. The property is located at 1450 Todd Ln and is currently zoned Single Family Estate (SF-E) District, allowing for Single Family uses. This is a variance request to the GDC to allow the existing fence to exceed the front yard height limit. (District 1)**

3. ADJOURN

NOTE: A quorum of the City Council may be in attendance and may or may not participate in the discussions of the Board.



MINUTES

The Board of Adjustment of the City of Garland convened in regular session at 6:30 PM on July 15, 2026, in the Council Chambers at the William E. Dollar Municipal Building, 200 North Fifth Street, Garland, Texas, with the following members present:

Present: James VanDyke
Vicki Jackson-High
Bruce Bishop
Margaret Bice
Bruce Astin
Joseph Willoughby
John McDonald
Subhi Gharbieh

Staff Present: Nabila Nur, Planning Director
Emma Chetuya, Planning Administrator - Development
Stewart Starry, Planner II
Kalyan Mutukundu, Planner I
Mark Mann, Sr. Assistant City Attorney II
Elisa Morales, Recording Secretary

1. APPROVAL OF MINUTES

- a. Consider approval of the Board of Adjustment Minutes for the May 20, 2026 meeting.

Motion was made by Board Member Subhi Gharbieh to **approve** the Minutes as presented. Seconded by Board Member Margaret Bice. **Motion carried: 7 Ayes, 0 Nays with 1 Abstention** by Board Member Bruce Bishop.

2. ITEMS FOR INDIVIDUAL CONSIDERATION

- a. **BOA 26-03 Joshua Lewis. The applicant is requesting a variance to have a reduced rear yard setback for an alley-facing garage door in order to construct a detached garage on the rear of their existing home. Section 2.34 (E) (1) (e) (i) of the Garland Development Code requires an alley-facing garage door to have a minimum setback of 20 feet from the applicable alley right-of-way line. This is a variance request to reduce the garage door setback to allow a detached garage on the rear side of the property at 721 Branch Drive. (District 5)**

Planner I, Kalyan Mutukundu, presented the request to the Board and remained available for questions.

The applicant, Joshua Lewis, 721 Branch Drive, Garland, TX, provided an overview of the request and remained available for questions.

Motion was made by Board Member Bruce Bishop to **approve** the application as presented. Seconded by Board Member Joseph Willoughby. **Motion carried: 8 Ayes, 0 Nays.**

- b. **BOA 26-04 John Scott Horrell.** The applicant is requesting a variance to Section 4.104 (A) of the Garland Development Code (GDC) which prohibits fences from being located within a property's front yard. This site is currently zoned Planned Development (PD) District 98-04 allowing for Single Family uses. This is a variance request to the GDC to allow the existing fence to be located within the front yard. The property is located at 4405 Carlton Drive. (District 3)

Planner II, Stewart Starry, presented the request to the Board and remained available for questions.

The applicant, John Scott Horrell, 4405 Carlton Drive, Garland, TX, provided an overview of the request and remained available for questions.

Motion was made by Board Member Bruce Bishop to **approve** the application as presented. Seconded by Board Member Bruce Astin. **Motion carried: 7 Ayes, 1 Nay** with Board Member Vicki Jackson-High in opposition.

3. ADJOURN

There being no further business to come before the Board of Adjustment, the meeting adjourned at 7:06 p.m.

Submitted By:

/s/ John McDonald, Chair
/s/ Elisa Morales, Secretary

Board of Adjustment Report

File No: BOA 26-05/District 1

Agenda Item: 1

Meeting: Board of Adjustment

Date: August 19, 2026



GARLAND

TEXAS MADE HERE

REQUEST

Owner Ferhan Zaki and applicant Madeeha Zaki. The applicant is requesting a variance to Section 4.104(A) of the Garland Development Code (GDC), which restricts the height of a fence located within a property's front yard of a residential property. The property is located at 1450 Todd Ln and is currently zoned Single Family Estate (SF-E) District, allowing for Single Family uses. This is a variance request to the GDC to allow the existing fence to exceed the front yard height limit.

OWNER

ZAKI FERHAN

BACKGROUND

The applicant obtained a fence permit on February 20, 2026 for a section of fence around the pool. However, when a City inspector visited the site on July 21, 2026, the applicant had constructed substantially more fencing than what was shown on the approved plans, including the six (6) foot ornamental iron fence now located within the front yard. The portion of the fence located within the front yard along Todd Lane exceeds the three and one-half (3.5) foot height maximum allowed under Section 4.104(A)(2)(a) for front yard fencing in a residential zoning district. The applicant subsequently submitted a fence permit application for the existing fence, which the Building Inspections Department denied on July 23, 2026, because the front yard portion of the fence exceeds the maximum allowed height. The applicant has since chosen to pursue a variance request to the Board of Adjustment (BOA) to allow the existing six (6) foot fence to remain within the front yard.

BOARD OF ADJUSTMENT GUIDELINES

Section 4.104(A) of the Garland Development Code requires that, "No fence may be built within a required front yard, or in front of a building in a residential, nonresidential or mixed-use zoning district." Section 4.104(A)(2)(a) provides an exception for a fence located in the required front yard of a residential zoning district where the fence is "less than three and one-half feet in height," made of wood or ornamental metal, and provides "at least a four-inch wide vertical space for each linear foot and at least a one-foot wide horizontal space between horizontal portions of the fence."

The subject property was vacant prior to construction of the house and fence, and the fence was newly built as part of that construction. New fence construction is subject to the current standards of Article 8, including the front yard height and material restrictions set forth in Section 4.104(A)(2)(a). Section 2.22(E)(6) of the GDC sets forth the authority of the Board of Adjustment to grant variances where "the literal enforcement of the provisions of this GDC would result in an unnecessary hardship, and where the variance is necessary to permit the use of a specific parcel of land which differs from other parcels of land in the same district by being of such a restricted area, shape, or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standards established by this GDC may not be granted to relieve a self-created or personal hardship, or for mere financial hardship. Further, a variance may not be granted to permit a person a privilege in developing a parcel of land not permitted by this GDC, or not permitted on other parcels of land in the district. No variance may be granted

if the granting of the variance will create an unnecessary hardship as herein defined on another parcel of property.”

FINDINGS

Section 4.104(A) of the Garland Development Code regulates the placement of fences and provides that no fence may be built within a required front yard, or in front of a building, in a residential, nonresidential, or mixed-use zoning district. The subject property is located at 1450 Todd Lane and is zoned SF-E District. The existing fence is located within the front yard along Todd Lane. The fence was installed without an approved building permit from the City of Garland Building Inspections Department. During an inspection on July 21, 2026, the inspector found the installed fence with no approved permit.

The GDC allows fences to be located within the front yard of a residential property under certain criteria, which this fence does not meet. Those criteria limit the fence to a maximum height of three and one-half (3.5) feet, restrict the materials to wood or ornamental metal, and require at least a four-inch wide vertical space for each linear foot and at least a one-foot wide horizontal space between horizontal portions of the fence; or, alternatively, a fence less than two and one-half (2.5) feet in height made of brick or masonry, excluding cinder block. The installed fence is approximately six (6) feet in height and is constructed of ornamental iron. While ornamental metal is a permitted material, the fence does not satisfy the first criterion because it exceeds the three and one-half (3.5) foot maximum height. The fence likewise does not satisfy the alternative criterion, as it is neither less than two and one-half (2.5) feet in height nor constructed of brick or masonry.

Front-yard fence limitations preserve the open character of single-family neighborhoods by maintaining visibility between homes and the street and preventing tall fences from creating a walled-off streetscape. Taller fencing is generally directed to the side and rear yards, where privacy and security needs can be accommodated with less impact on the surrounding streetscape. It is up to the Board of Adjustment to determine whether a hardship concerning the area, shape, or slope of the property exists.

CONSIDERATIONS

1. MOTION TO GRANT VARIANCE: Motion that the Board of Adjustment grant a variance to Section 4.104(A) to allow a six (6) foot fence within the front yard along Todd Lane because the facts and evidence presented at the public hearing indicated that a literal enforcement of the Ordinance will result in an unnecessary hardship for the applicant; and that the granting of the variance will not create an unnecessary hardship on any other parcel of property.
2. MOTION TO DENY VARIANCE: Motion that the Board of Adjustment deny the variance because based on the facts and evidence presented at the public hearing there is no evidence that a hardship exists that warrant the requested variance: and that literal enforcement of the Ordinance will result in an unnecessary hardship for the applicant.

ADDITIONAL INFORMATION

- i. Site Exhibit
- ii. Site Photos
- iii. Written Request
- iv. Notification Map

PREPARED BY:

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REVIEWED BY:

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BOA 26-05



View from Todd Ln facing the property



View from Todd Ln facing the property



BOARD OF ADJUSTMENT PROCEDURES & APPLICATION

Applicant Name:	Maddeha Zaki
Mailing Address (include Street, City, State and Zip Code):	1450 Todd Lane Garland, TX 75044
Owner(s) of Subject Property:	Ferhan & Maddeha Zaki
Address of Owner(s) (include Street, City, State and Zip Code):	1450 Todd Lane Garland, TX 75044

LEGAL DESCRIPTION OF SUBJECT PROPERTY:

Street Address:	1450 Todd Lane Garland, TX 75044	
I. Request:	Acceptance of fence being taller than 35 feet.	
II. Property Hardship (if variance is sought): (See attached page).	Safety issue: we have small children. We have had people walk inside the gates, they were looking at our packages. Vulnerable to break-ins. Animals in the area.	
FOR OFFICE USE ONLY: Filing Fee: \$ _____ File Number: _____		
Next Board Meeting Date:		
Subdivision Name:	Lot Number:	Block Number:
Current Zoning:		

_____ Initials