



VARIANCE APPLICATION

Application:

Authorized variances may only be granted upon a finding by the board that all of the following conditions have been met:

- (1) The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district and is not created by an act or omission of the property owner or the applicant.
- (2) The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or occupants.
- (3) Strict application of the provisions of the zoning ordinance will constitute unnecessary hardship upon the property owner.
- (4) The variance requested will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
- (5) Granting the variance desired will not be contrary to the general spirit and intent of the zoning ordinance.

A variance from the terms of the zoning ordinance shall not be granted by the board of adjustment unless and until:

- (1) A written application for a variance is submitted demonstrating:
 - a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - b. That literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the zoning ordinance.
 - c. That granting the variance requested will not confer on this applicant any special privilege that is denied by the zoning ordinance to other lands, structures or buildings in the same district.
 - d. The fact that there may be nonconforming uses, structures or buildings in the same district, neighboring lands or other districts shall not be considered as grounds for the issuance of a variance.
- (2) Notice of public hearing shall be given as provided in 2-5-5 of this chapter.
- (3) The board of adjustment shall make findings that the requirements of subsection of this chapter have been met by the applicant.
- (4) The board of adjustment shall make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.
- (5) The board of adjustment shall make a finding that the granting of the variance will be in harmony with the general purpose and intent of the zoning ordinance and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Checklist:

- Questionnaire Yes
- Application Yes
- Fees Yes
- Deed Yes
- One (1) 11" x 17" copy of the plat or survey for the subject property Yes
- One (1) 18" x 24" or 24" x 36" copy of the plat or survey for the subject property Yes
- Petition Yes



VARIANCE APPLICATION

Project Information:

Project Name: [grid]
Project Address (if unknown leave blank): [grid]
Total Acreage: [grid] Abstract/Survey: [grid] A - [grid]

Contact Information:

Applicant: [grid]
Address: [grid]
City: [grid] State: [grid] Zip: [grid]
Phone: ([grid]) [grid] - [grid] Fax: ([grid]) [grid] - [grid]
E-mail: [grid]

Property Owner: [grid]
Address: [grid]
City: [grid] State: [grid] Zip: [grid]
Phone: ([grid]) [grid] - [grid] Fax: ([grid]) [grid] - [grid]
E-mail: [grid]

Engineer/Agent: [grid]
Address: [grid]
City: [grid] State: [grid] Zip: [grid]
Phone: ([grid]) [grid] - [grid] Fax: ([grid]) [grid] - [grid]
E-mail: [grid]

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:
That I, _____, as owner or duly authorized officer of the property hereinafter referenced do hereby execute this document and waive any statutory time limits as set forth in Section 212 of the Texas Local Government Code.
(Signature)
Before me, the undersigned authority, a Notary Public in and for the State of _____, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.
Given under my hand and seal of office, this ____ day of _____, 20____.
Notary Public
My Board Expires On: _____ [SEAL]
OFFICE USE ONLY:
Submittal Date: _____
DATE STAMP
Accepted By: _____
Project #: _____