



## CITY OF TERRELL ZONING BOARD OF ADJUSTMENTS VARIANCE APPLICATION

I Hereby petition the City of Terrell to schedule a public hearing before the Zoning Board of Adjustment to consider a variance or special exception to certain requirements of the City's Zoning Ordinance.

This appeal concerns property described as follows:

Address:		PID:	
Lot:	Block:	Subdivision:	
Other Description:		HOA:	YES      NO
Zoning District:	Current use:		
Proposed use:			

The appeal concerns:

Section:	Paragraph:	Number:
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Of the Zoning Ordinance, which addresses:

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My Hardship Findings are as follows: #1\_\_\_ #2\_\_\_ #3\_\_\_ #4\_\_\_ :Please refer to Excerpt Section: 9.6 (C) and mark all that apply, attach an Affidavit of Hardship Letter if more room is required.

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I feel that a variance is warranted in this case because:

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# CITY OF TERRELL ZONING BOARD OF ADJUSTMENTS

## VARIANCE APPLICATION

### Excerpt from the Zoning Ordinance: SECTION 9 ZONING BOARD OF ADJUSTMENT (ZBA)

#### 9.6 VARIANCES AND SPECIAL EXCEPTIONS:

- A. *The Board may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. For example, if the subject property substantially differs from other similarly zoned land parcels by being of such restricted area, shape or slope that it cannot reasonably be developed in the same manner as other similarly zoned land parcels, then a variance of the building setback, lot width or depth, parking requirement, or other development standard may be warranted. In granting a variance, the Board shall prescribe only conditions that it deems necessary for, or desirable to, the public interest. In making the findings herein below required, the Board shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work within the proposed use, and the probable effect such variance will have upon traffic conditions and upon the public health, safety, convenience and welfare of the community.*
- B. **Conditions Required for Variance** - No variance shall be granted without first having given public notice and having held a public hearing on the variance request in accordance with Section 9.8 of this Ordinance and unless the Board of Adjustment finds:
1. That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of his/her land; and
  2. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
  3. That the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and
  4. That the granting of the variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this Ordinance; and
  5. That a finding of undue hardship exists (see Section 9.6C below).

*Such findings of the Board, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the Board meeting at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this Ordinance so that the public health, safety and welfare may be secured and that substantial justice may be done.*

- C. **Findings of Undue Hardship** - In order to grant a variance, the Board must make written findings that an undue hardship exists, using the following criteria:
1. That literal enforcement of the controls will create an unnecessary hardship in the development of the affected property; and
  2. That the situation causing the hardship or difficulty is neither financial in nature, self-imposed nor generally affecting all or most properties in the same zoning district; and
  3. That the relief sought will not injure the permitted use of adjacent conforming property; and
  4. That the granting of a variance will be in harmony with the spirit and purpose of these regulations.

I certify that the above information and attached drawings are true and correct to the best of my knowledge and belief; that I have read the excerpt of the Zoning Ordinance pertaining to the Variance and fully understand the definition of Hardship; and that I am the owner of the property in question, or have the owner's authority to make this appeal. And I understand that I will be notified by mail as to when the Board will meet to hear my request, said meeting being expected to occur within thirty(30) days of today's date.

**Variance application fee is \$500 / Lot-Address.**

Appellant's Signature:	Date of Signature:
Appellant's printed or typed name and address:	
Appellant's phone number, etc:	

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|--------------------------|-----------|------------------|--------------|
| APPLICATION RECEIVED ON: | PAYMENT:  |                  |              |
|                          | _____ (C) | _____ (CC)       | _____ (CHK#) |
| ZBA MEETING MONTH: _____ |           | VR _____ - _____ |              |
| HARDSHIP FINDINGS:       |           |                  |              |