



**ZONING BOARD OF ADJUSTMENT**

**VARIANCE APPLICATION**

1400 Main Street, Suite 310  
 Southlake, TX 76092  
 Phone: (817) 748-8069

**ZBA CASE NO.** \_\_\_\_\_

**FILING FEE:** \$305.00

**Location of Application: (address/legal description)**

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Owner:	Applicant (if different than owner):
Address:	Address:
Telephone:	Telephone:
Email:	Email:

State the SPECIFIC PROVISION of the zoning ordinance for which you are requesting a variance. (You may give the Section number and paragraph, OR you may DESCRIBE the REGULATION / REQUIREMENT.)

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Describe EXACTLY HOW, and TO WHAT EXTENT your request will DIFFER from the REQUIREMENTS of the ordinance, as described ABOVE. (Use REVERSE, or additional sheets if necessary.)

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In order for your request to be granted, the concurring vote of four (4) members of the Board of Adjustment voting in favor of the request shall be necessary.

In order for the Board members to vote in support of your application, you must prove several things by your application.

Your application must clearly show that your property has UNIQUE CONDITIONS and CIRCUMSTANCES which separate it from other typical properties with the same zoning; and explain how these unique conditions and circumstances make it UNREASONABLE or UNFAIR to apply the STANDARD ordinance requirements to YOUR property, unlike the way they are applied to all other properties.

Describe the CONDITIONS and CIRCUMSTANCES which are UNIQUE to your property and situation:

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Explain why these unique conditions and circumstances make it UNREASONABLE or UNFAIR to apply the STANDARD ordinance requirements to your property:

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Additionally, in order for the Board members to vote in support of your application it must be shown that the unique conditions and circumstances which you have described are NOT the result of your own actions. (Actions taken by previous owners and actions taken by your agents can be construed as "Your actions.")

Can you explain how the unique conditions and circumstances affecting your property came to be, AND SHOW that they ARE NOT the result of YOUR OWN ACTIONS:

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Furthermore, the Board must be satisfied that the variance you are requesting is the MINIMUM deviation from the terms of the ordinance NECESSARY to OVERCOME the unique conditions and circumstances which you have described.

Explain how your proposal is the MINIMUM manner by which the unique conditions and circumstances described can be overcome:

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Also, the Board must be convinced that granting such a variance would not constitute an UNFAIR GRANT OF SPECIAL PRIVILEGE to you, granting privileges that are otherwise denied by the ordinance.

In other words, why would granting this variance be ONLY FAIR, and NOT MORE THAN FAIR, to you, since others are prevented from doing what you are requesting:

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Finally, the Board must be certain your request is in harmony with the public welfare, and will not in any way be injurious or detrimental to your neighbors and their property rights.

EXPIRATION OF GRANTED REQUEST.

ZONING BOARD OF ADJUSTMENT RULES OF PROCEDURE, Section 7.1

Any special exception or variance granted or authorized by the Board shall authorize the issuance of a building permit and/or a Certificate of Occupancy, as the case may be, for a period of one year from the date of the favorable action of the Board unless said Board shall have in its action approved a different period of time and has so shown such specific period of

time in the minutes of its action. If the building permit and/or Certificate of Occupancy shall not have been applied for within said one year period or such extended period as the Board may have specifically granted, then the special exception or variance shall be deemed to have been waived and all rights thereunder terminated. All applications for a request which have been denied shall be deemed to be denied with prejudice unless stated otherwise in the Board's written decision.

YOUR RIGHTS TO APPEAL THE BOARD'S DECISION.

LOCAL GOVERNMENT CODE, Section 211.011

Any of the following persons may present to a court of record a verified petition stating that the decision of the board of adjustment is illegal in whole or in part and specifying the grounds of the illegality: (1) a person aggrieved by a decision of the board; (2) a taxpayer; or (3) an officer, department, board, or bureau of the municipality.

The petition must be presented within ten days after the date the decision is filed in the board's office.

Signature of Owner or Authorized Agent: \_\_\_\_\_ Date: \_\_\_\_\_

# PROPERTY OWNER ACKNOWLEDGEMENTS

Notarized signature of *all* owners is mandatory.

*Use additional sheets if necessary.*

**Property Ownership Acknowledgement:** As owner of the property described in this application, I understand that my property is being considered for a Variance.

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner's Name (Typed or Printed) \_\_\_\_\_

**Notary Acknowledgement:** Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the above and foregoing instrument, and knowledge to me that he/she executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public In and For Texas

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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## Agent Authorization (if applicable)

**Agent Authorization:** I, \_\_\_\_\_, owner of the aforementioned property do hereby certify that I have given my permission to \_\_\_\_\_ to act as my agent for this variance request.

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner's Name (Typed or Printed) \_\_\_\_\_

**Notary Acknowledgement:** Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the above and foregoing instrument, and knowledge to me that he/she executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.