



City of Nolanville
Zoning Board of Adjustments
Variance Application

Instructions: (Please read carefully)

1. Please type or print with blue or black ink.
2. The application must be filled out completely and accurately. All required material must be attached to the application. Incomplete submittals will be returned to the applicant. The Planning Department cannot guarantee a deadline extension to allow for submittal of omitted information or materials.
3. The application must be signed by all legal owners of the subject property or by the legally authorized agent for the property owner(s). If the request is submitted by an agent, a notarized Designation of Agent form signed by all the legal property owners must be attached to the application.
4. The following items shall accompany the application:
 - a. Variance Request Fee – Please refer to the current City Fee Schedule
 - b. A copy of the deed(s) of the subject property verifying legal ownership as required.
 - c. A legible site plan or plot plan indicating the requested variance.
 - d. A typed legal description of the property (meets and bounds).
 - e. A letter describing in detail the reason(s) for the request and the hardship on which the request is based.
 - f. Other materials, as appropriate (i.e. photos, slides, drawings, plats, petitions, etc).
 - g. Provide a listing of all property owners with their addresses within a 200’ radius of the subject property.
 - h. Other information or documentation necessary to process the application, as required by the city.

Application Date *(to be completed by office staff)*

Submittal Date: _____ Application Fee: _____

BOA Meeting Date: _____ Received by: _____

Public Hearing Date: _____

Name of Owner(s): _____

Phone #: _____

Mailing Address: _____

Street Address or Location of Subject Property: _____

Current Zoning of Property: _____

Acreage: _____

VARIANCE REQUEST:

I/We, being the legal owner(s) or the agent for the legal owner(s) of the property described above, hereby request that the Board of Adjustment of the City of Nolanville, Texas, consider the following request for a variance from the requirements of the Zoning Ordinance:

Reason/Hardship for the Variance:

In order to recommend approval of a variance, the Board of Adjustment must make a finding of hardship. As noted in the INSTRUCTIONS, **you must attach a letter** describing the reasons for the request and the hardship on which the request is based, stating the grounds for the variance and all of the facts relied upon for the case.

Variance Review Criteria:

In order to make a finding of hardship, the Board of Adjustment must determine that all of the following criteria are met. **State how your variance request meets these four criteria. Please note:** Hardship cannot be based solely on financial or self-imposed conditions. (Attach additional pages for multiple request or if additional space is needed.

1. The granting of the variance will not be determined to the public safety, health, or welfare, be injurious to surrounding property, or violate the intent and purpose of the regulation:

2. The granting of the variance is not based on a hardship which is self-imposed:

3. The hardship is not based solely on the cost of complying with the regulation:

4. The hardship is based on circumstances which are unique to the property for which the variance is sought, and not circumstances common to other properties:

NOTICE: The City of Nolanville does not enforce deed restrictions and cannot grant variances to deed restrictions. Any variance granted pursuant to this application and any building permit issued pursuant to such variance does not constitute or represent approval or authority to violate deed restrictions.

Signature(s) of Owner(s) / Agent:

Signature

Date

Signature

Date

NOTE: If the property owner or agent is not present at the Board of Adjustment meeting, the case will either be denied or not considered for action.

SPECIAL NOTICE TO INDIVIDUALS APPLYING FOR A VARIANCE FROM THE BOARD OF ADJUSTMENT

Issuance of a variance shall authorize only the particular variation which is approved in the variance request and shall not constitute a precedent. A variance shall run with the land.

According to the Zoning Ordinance, unless otherwise stated in the variance, an application to commence construction of the improvements that are subject of the variance must be applied for and approved within six (6) months of the date of approval of the variance; otherwise the variance shall automatically become null and void. Upon written request, and for good cause shown, one extension of the six-month timeframe may be granted by the Board.

(Ordinance No. 6051-12 Section 840.9 Effect of Variance)

STAFF COMMENTS:

