



Zoning Variance Application Packet

Legend

Section 101: Application Submission Requirements.

Section 102: Submittal Review.

Section 103: Hearing Authority.

Section 104: Noticing Requirements.

Section 105: Board of Adjustment Decision.

Section 101: Application Submission Requirements.

One (1) copy of following items:

- A. Submittal of appropriate filing fees for the application:

Residential Applicants - \$200.00 +115% for any City third-party review, as needed (this will be charged later in the process).

Commercial Applicants - \$600.00 + 115% for any City third-party review, as needed (this will be charged later in the process).

Note: All of the aforementioned fees are non-refundable.

- B. Copy of the application with all information completely filled out and all applicable signatures.

- C. Copy of the deed showing ownership. Proof of signatory authority for corporations is required.

- D. Narrative which explains the following:

1. How the request will not be contrary to the public interest, and
2. How owing to special conditions, the literal enforcement of the zoning code will result in unnecessary hardship, and
3. How the spirit of the zoning ordinance shall be observed and substantial justice done, and
4. How the request is not contrary to the public interest and meets the spirit of the zoning ordinance.

Evidence must also be provided which verifies narrative.

- E. Owner's authorization for agent, as applicable.

- F. A site plan which includes at a minimum:

1. Date, scale, north point, title, name of owner and the name of person preparing plan;
2. Location of existing boundary lines and dimensions of the tract;
3. Centerline of existing watercourses, drainage features, and location and size of existing and proposed streets and alleys;
4. Location and size to the nearest one-half foot of all proposed buildings and land improvements;
5. Clear designation of areas reserved for off-street parking and for off-street loading; the location and size of points of ingress and egress; and
6. The ratio of parking space to floor space, as applicable.

One (1) of each item shall be submitted in electronic format to planninganddevelopment@ci.elgin.tx.us

Section 102: Submittal Review.

After the application submission is received then the items will go through a submittal review. This review is conducted by the Development Review Committee (DRC). Submittals shall be as outlined below:

- A. First (1st) submittal. The DRC shall review the first (1st) submittal within thirty (30) calendar days and submit comments to the applicant in writing by the end of this timeframe.
- B. Response of Applicant. The applicant shall address all individual comments from the DRC by copying each open comment(s) and providing response(s) to each open comment on official letterhead within six (6) months of the date of DRC comments. This shall also include revised documentation showing the comments have been addressed by the applicant. **Failure to respond to DRC comments within six (6) months of the date of DRC comments will administratively expire the application.**
- C. Second (2nd) & third (3rd) submittals. The second (2nd) and third (3rd) submittals, if needed, shall be reviewed by the DRC within fifteen (15) calendar days of the applicant's submittal to the City. For these submittals, response shall be required as stated in subsection (B). **Failure to respond to DRC comments within six (6) months of the date of DRC comments will administratively expire the application.**
- D. Scheduling of public hearing. Upon the closing of all DRC comments or reaching the third (3rd) submittal, the application will be scheduled for its public hearing.

Section 103: Hearing Authority

A zoning variance will be heard by the Board of Adjustment for a consideration (action) on the item. Applicants shall receive written notice of the location, date, and time of the Board public hearing.

Section 104: Noticing Requirements.

Public noticing of the Board meeting shall be published within the local paper at least sixteen (16) days before the meetings and a 200 foot notice surrounding the applicant's property will be sent out at least eleven (11) days before the meetings.

Section 105: Board of Adjustment Decision.

In regard to the consideration (action), the Board has the option to approve, approve with conditions, deny, or continue the item upon concurrence of the applicant. Upon denial, the application expires. **The concurring vote of four (4) members shall be necessary to decide in favor of the application.**

ZONING VARIANCE APPLICATION

Date: _____

SITE INFORMATION

Project Address: _____

Parcel Identification Number (if no address): _____

APPLICANT

Name: _____

Postal Address: _____

E-Mail Address: _____; Phone Number: _____

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

Signature	Printed Name	Date
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Project Description:

