



COMMUNITY SERVICES DEPARTMENT

12002 Hwy 6, Santa Fe, TX 77510

PO Box 950

Phone (409) 925-6412

Board of Adjustment Variance or Appeal Application

APPLICANT & OWNER INFORMATION

Name of Applicant: _____

Signature: _____ Company: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____ Phone: _____

Name of Property Owner: _____

Signature: _____ Company: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____ Phone: _____

(The property owner may submit a notarized letter of authorization in lieu of a signed application)

SUBJECT SITE INFORMATION

Address of Subject Property: _____

Legal Description (Lot, Block & Subdivision or Abstract):

Existing Use of the Property: (Residential, Commercial, Vacant, etc.)

Note to Applicant: Please complete the attached Required Information form

For Department Use Only

Date Received: _____ Fee Paid: _____ Payment Type: _____

Case Number: _____ Accepted by: _____



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**Board of Adjustment Variance or Appeal
Required Information
(Attach to Board of Adjustment Application)**

REQUIRED INFORMATION

Please answer the following questions as completely as possible. Failure to fully outline your request by omission of answers may result in unnecessary delay in processing the application. Additional pages may be attached if necessary.

Name: _____

Address: _____

1. Have you applied for a building permit? ____ Yes ____ No
2. Have you filed an appeal or variance for this property before? ____ Yes ____ No
3. Completely describe the variance you are requesting:

4. Please give the reason for the hardship and justification for the variance:

5. Do similar conditions exist in the area? If so, please explain:

6. Please submit reproduceable drawings and photos to support the application.
7. Pay the applicable filing fee of \$900.

**City of Santa Fe
Board of Adjustment Application
Information to Applicants**

General

Appeals to the Zoning Board of Adjustment may be filed by any person aggrieved, or by an officer, department, board or bureau of the municipality affected by any decision of the Santa Fe Zoning Officer pertaining to the City's Zoning Ordinance text or map. Such an appeal must be filed within 15 days after the decision has been rendered by the Zoning Officer, by filing with the Zoning Officer and the Zoning Board of Adjustment a notice of appeal specifying the grounds thereof.

In actions before the Zoning Board of Adjustment, the burden of proof falls on the applicant, i.e.

- 1) If a variance is requested, factual evidence must be presented to satisfy the Board that a hardship exists, which is not generally true of other properties in the area and which is not a self-created hardship. **(The economic cost of compliance is not legally considered a hardship);**
- 2) If the decision of an administrative official is appealed, evidence must be presented to satisfy the Board that an error exists in the official's decision;
- 3) If a special exception is requested, evidence must be presented to satisfy the Board that a special exception to terms of the ordinance is warranted due to the peculiar circumstance of the situation.

Meetings

Meetings of the Zoning Board of adjustment are held on the 2nd Monday of each month, as necessary, at 7:00 p.m. in the City Council Chamber at 12002 Hwy 6, Santa Fe, Texas. The date on which an application is heard by the Board is dependent upon when the application was received, the completeness of the application and the time required to serve proper notice.

Action of the Board of Adjustment

For the Board of Adjustment to hear and take action on an application, at least four of the five members must be present. The concurring vote of **four** members of the Board is necessary to reverse a decision or determination of an administrative official or authorize a variance. A vote of 3-2 to approve a variance **fails**.

If the Zoning Board of Adjustment denies an application, an appeal of the decision to a District Court must be filed within ten (10) days of the Board's action. The City Commission is not empowered to hear an appeal.

Please refer to the City of Santa Fe Unified Development Code or Santa Fe Zoning Ordinance, Article 10-Board of Adjustment, for more information regarding the City of Santa Fe Board of Adjustment.