

PROPERTY INFORMATION:

Address: _____

Legal Description: _____

of Lots: _____ Acreage: _____ Current Zoning: _____ Proposed Zoning: _____

Existing Land Use: _____ Proposed Land Use: _____

OWNER INFORMATION:

Name: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

AUTHORIZED AGENT INFORMATION (IF DIFFERENT FROM OWNER):

Agent/Representative Firm: _____ Contact Person: _____

Mailing Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

DESCRIPTION OF REQUEST:

Variance to Section: _____ of the Zoning Ordinance, which requires:

Description of proposed variance (additional pages may be used): _____

ACKNOWLEDGEMENT:

I hereby certify that this application is in conformance with the requirements of the City of Roma's Zoning Ordinance, as amended, that pertain to this submittal. I understand that it is my responsibility to have the applicant, owner or other authorized agent present at the Zoning Board of Adjustment Meetings. Should an authorized person not be at the meeting to represent the application, I hereby request that consideration of the item be continued to a future date to allow the authorized person the opportunity to appear and present testimony. However, I do understand that the city is not obligated to approve this request. I further understand that this request will be placed on the appropriate Zoning Board of Adjustment Agenda only after the application has been determined to be complete. Where a variance request is submitted concurrently with a zoning request, concept plan, development plan, or plat application and the variance approval is required prior to the approval of such a request, plan or plat application, I hereby request that these items be processed concurrently where possible.

I also understand that fees paid are not refundable. In addition, I also understand that by my signature below, I have made a declaration that the property under consideration is owned by the person(s) as listed and understand that the City of Roma has no responsibility to verify said ownership information. I also understand that an appeal of development decisions can be made in accordance with the Zoning Ordinance. ☐ Owner ☐ Authorized Agent

Applicant's Signature: _____ Applicant's Name: _____ Date (MM/DD/YYYY): _____

Variance Application Fee: \$200.00 + Notice of Public Hearing costs

DATE RECEIVED: (OFFICE USE ONLY)

APPLICATION ID: (OFFICE USE ONLY)

COLLECTED FEE: (OFFICE USE ONLY)

For your request to be granted, the Zoning Board of Adjustments (ZBA) must cast 75% of votes in support of your application. For the ZBA 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.

The ZBA shall not approve a variance *unless* it finds that all of the following criteria have been met:

- a) The variance must be necessary to permit development of a specific parcel of land which differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development of other parcels of land in districts with the same zoning;
- b) The need for the variance is not self-created;
- c) The need for the variance is not personal or financial hardship;
- d) The requested variance does not permit a person a privilege in developing a parcel of land which would not be permitted by City ordinances to other parcels of land in districts with the same zoning district or in a manner inconsistent with the rights of properties similarly zoned; and
- e) The granting of the variance would not violate the intent of this Zoning Ordinance and would further substantiate justice.

VARIANCE APPLICATION QUESTIONNAIRE:

1. 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).

2. Describe exactly how, and to what extent your request will differ from the requirements of the ordinance, as described above. (Use additional sheets if necessary).

3. Describe the conditions and circumstances which are unique to your property and situation:

4. Explain why these conditions and circumstances make it unreasonable or unfair to apply the standard ordinance requirements to your property:

5. 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?

6. Explain how your proposal is the minimum manner by which the unique conditions and circumstances described can be overcome. List any possible alternatives to the requested variance.

QUESTIONNAIRE ACKNOWLEDGEMENT:

I hereby certify that I have answered all questions to the best of my ability, and I intend for the request to be in harmony with the public welfare and will not in any way be injurious or detrimental to my neighbors and their property rights.

Signature of Owner(s) or Authorized Agent

Name of Owner or Authorized Agent

Date (MM/DD/YYYY):

AGENT AUTHORIZATION (IF APPLICABLE):

I/We, _____, owner(s) of the aforementioned property do hereby certify that I/we have given my/our permission to _____ to act as my/our agent for this variance request.

Owner's Signature: _____ Owner's Name: _____ Date (MM/DD/YYYY): _____

YOUR RIGHTS TO APPEAL THE ZBA'S DECISION:

Texas 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 ZBA is illegal in whole or in part and specifying the grounds of the illegality: (1) a person aggrieved by a decision of the ZBA; (2) a taxpayer; or (3) an officer, department, board, or bureau of the municipality. The petition must be presented within ten (10) days after the date the decision is filed in the ZBA's office.

VARIANCE APPLICATION SUBMITTAL REQUIREMENTS:

Applications submitted without all the required documents will not be reviewed and will be returned to the applicant for revision. Please make sure that all required elements are included. If you have any questions on any of the following items, please call the Development Services Department at (956) 849-1411.

ITEM CHECKLIST:

- ☐ Completed Variance Application
- ☐ Application Fee – Payable to the “City of Roma”
- ☐ One (1) 18” x 24” scaled Site Plan, which shows as-built survey information (property lines, easements, existing structures, etc.) for the property, as well as the proposed improvement(s), including the requested variance improvements. All drawings shall be to scale and “line to line” measurements indicated. All drawings shall have a North directional indicator, legal description, appropriate zoning district, and the required setback lines. Survey drawings shall be prepared by a Registered Professional Land Surveyor.
- ☐ One (1) printed 8 ½” x 11” drawing of the Site Plan and One (1) digital copy of the Site Plan in PDF format via email or USB.
- ☐ Any additional items, materials, or information you believe should be considered or that staff has determined is necessary for consideration of the application.

After reviewing the application for completeness and acceptance by City of Roma staff, the applicant will be notified and a ZBA meeting date will be assigned.