

PROJECT NAME: _____

VARIANCE

APPLICATION & CHECKLIST SUBMITTAL PACKET

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GENERAL

A Variance is an exception to an ordinance in situations where there is an unusual condition that makes the strict application of a requirement a hardship or inequity.

HELPFUL LINKS



- Development Services – www.leandertx.gov/ds. Includes links to the following:
 - Development Process – Applications, Submittal Schedule
 - Planning Department: Zoning, Subdivision, Site Development, Current Developments
 - Building Permits & Inspections: Building Permits, Impact Fees
 - Engineering Department
 - Maps & Guides – Comprehensive Plan, Transportation Plan, Development Guide, Transportation Criteria Manual, Drainage Criteria Manual
- Fire: www.leandertx.gov/fire
- Parks: www.leandertx.gov/parksrec
- Development Hub – Application Portal: www.leandertx.gov/hubgo

CONTACT INFORMATION

Please contact the Development Services Department by emailing PRCTeam@leandertx.gov with any questions regarding this application.

INSTRUCTIONS

- Fill out the following application and checklist completely prior to submission.
- Current applications and City ordinances may be found on the City's website (<http://www.leandertx.gov/ds>).
- Please refer to the "Overall Schedule" for review timelines. Applications may be submitted through the Development Hub at any time for preview. Once all items are confirmed and accepted, the review process will start.
- Please note: the Project Agent listed in the application must have an active Development Hub account and be listed as a contact on the project. At least one additional contact is required for the associated company or property owner.
- This request will initially be reviewed by staff, then scheduled for decision by the Planning & Zoning Commission, City Council, or Board of Adjustment (BOA) based on the type of request.
- All items listed in the "Required Items for Application Submittal" on [page 3](#) shall be uploaded to the Development Hub.

TYPE OF VARIANCE (CHECK APPROPRIATE BOX)

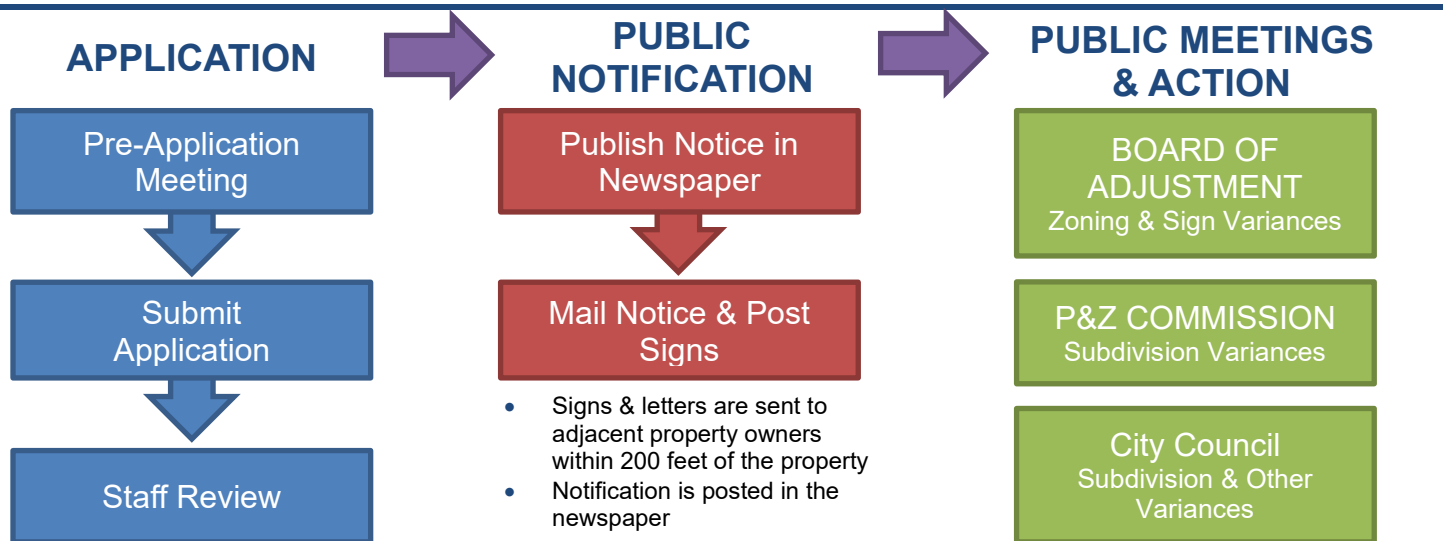
- ☐ **Zoning:** _____
Identify Section
- ☐ **Sign:** _____
Identify Section
- ☐ **Subdivision:** _____
Identify Section
- ☐ **Other:** _____
Identify Ordinance & Section

PROJECT INFORMATION

Property Address: _____
Legal Description: _____
Subdivision Name: _____

Property Acreage: _____
County Short ID#: _____

PROCESS OVERVIEW



REQUIRED ITEMS FOR THE SUBMITTAL PACKAGE

REQUIRED ITEMS	PROVIDED	Check each box if you have complied with that item. This application/checklist is only a guide. All state and local ordinances and code requirements cannot be reflected on this application/checklist. If there are any questions regarding the regulations, the applicant shall consult source law.
	☐	1. Completed and Signed Application & Checklist with the owner's signatures.
	☐	2. Deed showing current ownership. Proof of signatory for corporations is required.
	☐	3. County short ID # of subject property _____.
	☐	4. Certified tax certificate or evidence that taxes have been paid.
	☐	5. Letter of intent describing the proposed appeal and stating the reason/justification for the request.
	☐	6. Development meeting notes or confirmation that a development meeting was not required..
	☐	7. Application Fees (calculation listed below).

APPLICATION FEE* CALCULATION – DUE AT SUBMITTAL

Filing Fee:	\$ 400.00
Professional Recovery Fee:	\$ 250.00
Technology Fee	\$ 40.00
TOTAL FEE (due at the time of application submission)	\$ 690.00

* An invoice for application fees will be provided during the completeness check. All fees shall be paid prior to the acceptance of the submittal for review.

PUBLIC NOTIFICATION FEE** CALCULATION – DUE PRIOR TO POSTING PUBLIC NOTICE

Owner Notification Fee – \$5.00 per owner notification	\$ _____
Notification Sign – \$30.00 per sign (Subdivision Variance only: 1 sign at the property line with signs no more than 300' apart along the ROW frontage):	\$ _____
Public Hearing Notification:	\$ 300.00
TOTAL FEE	\$ _____

** An invoice for public notification fees will be provided after the review of the request. All public notification fees shall be paid prior to scheduling the application for public hearing.

APPLICANT INFORMATION

Please Note: The signature of owner authorizes City of Leander staff to visit and inspect the property for which this application is being submitted. The signature also indicates that the applicant or his/her agent has reviewed the requirements of this checklist and all items on this checklist have been addressed and complied with. If there are multiple property owners, one notarized form per owner is required. Approval of this application and the related plat or plans does not constitute the approval of variances or waivers to ordinance requirements. Applicant is responsible for compliance with all applicable ordinance unless a variance, waiver, or exception has been specifically approved. The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

(Check One):

____ I, the owner, will represent this application with the City of Leander.

____ I, the owner, hereby authorize the person named below to act as my agent in processing this application with the City of Leander.

OWNERSHIP INFORMATION:

Owner Name (Company or Individual): _____

Contact Name: _____

(If property ownership is in the name of a partnership, corporation, joint venture, trust or other entity, please list the official name of the entity and the name of the managing partner.)

Phone: _____ Fax: _____

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

Email: _____ Mobile: _____

By signing this form, the owner of the property authorizes the City of Leander to begin proceedings in accordance with the process for the type of application indicated above. Owner further acknowledges that submission of an application does not in any way obligate the City to approve the application. By signing this form the owner of the property authorizes the City of Leander to enter upon the property to perform all necessary inspections and acknowledges that the construction will be in accordance with the City of Leander standards and the approved construction documents. By indicating an agent on the application, the property owner authorizes the agent to represent the request and all official contact will be between the City of Leander and the agent.

Owner's Signature: _____ **Date:** _____

THE STATE OF _____ §

COUNTY OF _____ § KNOW ALL MEN BY THESE PRESENTS

Before me, (notary name) _____, on this day personally appeared (owner name) _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he or she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this _____ day of _____.

Notary Public's Signature _____

My Commission Expires: _____

AGENT INFORMATION:

If an agent is representing the owner of the property, please complete the following information:

Project Agent: _____ **Company:** _____

Phone: _____ Fax: _____

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

Email: _____ Mobile: _____

I hereby attest that I prepared this application/checklist and that all information shown hereon is correct and complete to the best of my knowledge:

Signature

Name (printed)

Date

CONFLICT OF INTEREST DISCLOSURES

Please submit at the time of submission of application and update disclosures within 7 business days after the date of an event that would make a statement in the questionnaire incomplete or inaccurate.

ARTICLE 9.05, CITY CODE OF ORDINANCES – CODE OF ETHICS:

<http://z2codes.franklinlegal.net/franklin/Z2Browser2.html?showset=leanderset>

▪ **Ethics Ordinance – Disclosure Statements**

The City's Ethics Ordinance requires persons seeking to enter discretionary contracts with the City or appearing before the City Council or another City board or body to disclose certain relationships and conflicts of interest. The relevant sections of the Ethics Ordinance are set forth below. The Ethics Ordinance can be found in Article 9.05, Chapter 9 of the City's Code of Ordinances at the above link.

Sec. 9.05.007 Persons doing business with the city

(a) Persons seeking discretionary contracts.

- (1) For the purpose of assisting the city in the enforcement of provisions contained in this article, an individual or business entity seeking a discretionary contract from the city is required to disclose in connection with a proposal for a discretionary contract any conflict of interest. This is set forth in [sections 9.05.004](#) and [9.05.005](#) of this article. Further, the individual or business entity agree to abide by the same ethical standards as set forth for public servants in this article.
- (2) Subsection (a) of this section will become a permanent footnote on documents contained in city bid packets for discretionary contracts.

(b) Disclosure of conflicts of interest by persons appearing before a board or city body. A person appearing before any city board or other city body for the purpose of doing business with the city shall disclose to that board or body any facts known to such person which may show or establish that:

- (1) An employee or officer of the city that advises or makes presentations to the board or city body; or
- (2) Any member of the board or city body;

has or may have a conflict of interest pursuant to chapter 171, Tex. Loc. Gov't. Code, or an interest which would violate the ethical standards set forth in this article, if he or she were to participate in the processing or consideration of the subject matter.

Sec. 9.05.009(f) Disclosure by persons appearing before a city body. Any person who appears before any city body who has had business dealings within the preceding 12-month period involving one or more transactions of five hundred dollars (\$500.00) or more each quarter, or for a total of twenty-five hundred dollars (\$2,500.00) or more, within the preceding 12-month period with a councilmember, commissioner, or business entity in which a councilmember or commissioner has a substantial interest, shall disclose such business dealings at the time of the appearance. Any person who shall intentionally or knowingly fail to make the aforesaid disclosure shall be guilty of a misdemeanor and shall be fined in accordance with this article.