



**City of Eagle Pass Planning Department
Zoning Board of Adjustment Appeal
to Eagle Pass Zoning Ordinance**

3295 Bob Rogers Drive
Eagle Pass, TX 78852
(830) 773-7781
planning@eaglepasstx.us
eaglepasstx.us

Project	Legal Description: _____ Site Address: _____ Acres: _____ Square feet: _____ Existing land use: _____
Owner	Name: _____ Phone: _____ Address: _____ E-mail: _____ City: _____ State: _____ Zip: _____
Applicant If not owner	Name: _____ Phone: _____ Address: _____ E-mail: _____ City: _____ State: _____ Zip: _____ Relationship to owner: _____
Authorization	To the best of your knowledge are there any deed restrictions, restrictive covenants, etc. which would prevent the utilization of the property in the manner indicated? Yes ____ No ____ I certify that I am the actual owner of the property described above and this application is being submitted with my consent (included corporate name if applicable). Attach written evidence (i. e. corporate documents) of such authorization. I acknowledge that application and publication fees are non-refundable, and that incomplete applications will not be accepted or processed. If additional information or documentation is pending submittal before a deadline, the item is subject to be removed from the agenda and the applicant is subject to cover re-advertising fees. Signature: _____ Date: _____ Print Name: _____ ☐ Applicant ☐ Authorized Agent

Board Action	Description:
	Board Chairman Signature _____ Date _____
Office	Accepted by _____ Payment received by _____ Date _____ Zoning Classification _____ Case No. _____

The commission may authorize a variance from these regulations when, in its opinion, undue hardship will result from requiring strict compliance. In granting a variance, the board shall prescribe only conditions that it deems necessary or desirable to the public interest. No such variance shall be granted unless the board finds that the applicant meets the following conditions.

Description of variance request: _____

For each question, check yes or no and provide a detailed explanation.

- Is the financial cost of compliance greater than 50 percent of the appraised value of the structure?
 Yes [] No [] Explain: _____

- Will compliance result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur?
 Yes [] No [] Explain: _____

- Will compliance result in the structure not following a requirement of a municipal ordinance, building code, or other requirement?
 Yes [] No [] Explain: _____

- Will compliance result in the unreasonable encroachment on an adjacent property or easement?
 Yes [] No [] Explain: _____

5. Does the municipality consider the structure to be a nonconforming structure?

Yes [] No [] Explain: _____

6. Is the variance necessary for the preservation and enjoyment of a substantial property right of the applicant?

Yes [] No []

Explain: _____

7. Could the granting of the variance be detrimental to the public health, safety, or welfare, or injurious to other property in the area? Yes [] No []

Explain: _____

VARIANCE APPLICATION CHECKLIST

APPLICATION COMPLETENESS REQUIREMENTS:

☐
☐

Development Application signed by owner or notarized affidavit

This checklist (signed by applicant/representative)

Applicant	Staff	Not Applicable	TECHNICAL REQUIREMENTS	
			Any application that is missing information will be considered incomplete and will not be processed.	
			1	A scaled site plan of the subject property showing property dimensions, building locations, setback dimensions, and other applicable information.
			2	Application Fee of \$100.00 is due upon submittal. (Money order or check made out to City of Eagle Pass) A Publication Fee will be invoiced and collected before the meeting date. These fees are non-refundable.
			3	Notarized owner authorization letter if application is submitted by individual other than the property owner. Proof of ownership as follows: Estate documents (i. e. Probate, Affidavit of Heirship, Administration), copy of the recorded warranty deed or copy of a purchase contract, copy of lease agreement.
			4	Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are filed, a copy of the certificate of no restrictions will be required.
			5	Photographs of site, project, and adjacent areas deemed appropriate for justification. Prior construction history, as applicable to the situation.

NOTE: By state law public hearing notices shall be published in a newspaper with a second-class postage.

Applicant Acknowledgment

Date