



PLANNING DEPARTMENT

3295 Bob Rogers Drive, Eagle Pass, Texas 78852 • Telephone: (830) 773-7781 • Fax: (830) 773-7803
www.eaglepasstx.us • planning@eaglepasstx.us

VARIANCE APPLICATION (ZBAA)

Case No. _____

Applicant Information	Name: _____ Mailing Address: _____ Phone: _____ E-mail: _____ <u>Note:</u> if you are not the owner of the property, you must attach a letter from the owner authorizing you to submit this application.
------------------------------	---

Property Owner Information	Name: _____ Mailing Address: _____ Phone: _____ E-mail: _____
-----------------------------------	---

Property Information	Site Address: _____ MCAD Property ID # _____ Legal Description: Lot(s) _____ Block _____ Subdivision _____ <small>(Property must be legally subdivided or be lot of record)</small> Front Yard Width (feet) _____ Rear Yard Width (feet) _____ Side Yard Width (feet) _____
-----------------------------	--

Description of Project:

Detailed Explanation of Variance Request
How does the strict application of the zoning code impose practical difficulties or particular hardship for your project?

How is your variance request consistent with the general purpose and intent of the zoning code?

How will the granting of the variance not merely serve as a convenience to you, but will alleviate some demonstrable hardship or difficulty so great as to warrant the variance?

Is your variance request necessary because of exceptional narrowness, shallowness, or shape of your property?

Is your variance necessary because of exceptional topographical conditions or other extraordinary or exceptional situation or condition of your property?

Will the strict application of the zoning code result in peculiar and exceptional practical difficulties and particular hardship to you, and amount to a practical confiscation of the property and not a mere inconvenience?

Will the granting of the variance create substantial detriment to the public good?

Will your variance impair an adequate supply of light and air to adjacent property?

Will your variance materially increase the traffic congestion on public streets?

Will your variance increase the public danger of fires and safety?

Will your variance materially diminish or impair established property values within the surrounding area?

Will your variance impair the public health, safety, comfort, morals and welfare of the City of Eagle Pass?

Applicant Authorization	<p>I authorize the City of Eagle Pass to conduct any site visits necessary to evaluate this variance application.</p> <p>I hereby state that I have prepared this application and that, to the best of my knowledge, the information contained herein is complete, accurate, and a true representation of the variance request. I further attest that I have the authority to submit this application and agree to comply with any and all conditions of variance approval. I agree to provide any additional information requested by the City as they deem necessary for the processing of this application.</p>
	<p>_____</p> <p>Applicant Signature Date</p>

Office Use	Date Application Accepted for Review: _____ By: _____
	Contact Date for Supplemental Info: _____ Supplemental Info Received: _____
	Completeness Review Date: _____ By: _____
	Application Returned to Applicant: _____ (when applicable)
	Note: Processing fee of \$100.00. MR:6/2020

VARIANCE PROCESS

THE VARIANCE PROCESS IS INTENDED TO PROVIDE AGGRIEVED PERSONS WITH A MECHANISM THAT ALLOWS FOR POSSIBLE VARIATIONS TO THE ORDINANCE. A PROPERTY OWNER AND/OR APPLICANT IS REQUIRED TO DEMONSTRATE THAT THE STRICT COMPLIANCE OF AN ORDINANCE WILL RESULT IN SPECIFIC DIFFICULTY OR HARDSHIP.

General Information: Please be advised that this is a 2 month process.

Applications will be reviewed for completeness by the Planning Department. Your application is considered accepted after being reviewed for completeness.

Planning Department Review

Applicant has preliminary conference with the Planning Department concerning the request.

Applicant fills out an application and submits said complete application with the following required attachment(s):

- Completed application signed and dated by the owner/applicant.
- Application Fee of \$100.00 (money order or check made out to City of Eagle Pass) plus the Publication Fee of approximately \$450. These fees are non-refundable. Publication fee(s) will be invoiced and are required to be paid before the meeting date(s). NO EXCEPTIONS.
- Owner authorization letter, if application submitted by individual other than the property owner.
- The location of all tracts of land and ownership within at least 200-feet of the subject tract as it appears in the records of the Maverick County Appraisal District. This may be obtained at the Appraisal District office located at 2243 North Veterans Boulevard or by calling (830) 773-0255.
- Copy of the warranty deed or copy of a purchase contract.
- Copy of subdivision restrictions for subject property, as recorded in the Maverick County Court House. If no subdivision restrictions are available, a copy of the certificate of no restrictions will be required. This may be obtained at the office of Maverick County Clerk Sara Montemayor at 500 Quarry Street or by calling (830) 773-2829.
- Site Plan and photographs of the site.
- If any construction will be required, plans need to be submitted.

Legal Notices

Under certain conditions, the City is required to provide legal notice of request by publication in a newspaper at least 15-days prior to the date of the public hearing.

*****Public Hearings: By state law public hearing notices shall be published in a newspaper with second class postage*****

The City will notify property owners within a 200-foot radius at least 10-days prior to the date of the public hearing.

Public Hearing

A public hearing is held before the ZBAA Commission. The Board must determine that the proposed variation will not constitute: 1) a zoning change, 2) will not impair the adequate supply of air and light to adjacent properties, 3) will not increase street congestion, 4) will not diminish public safety, or 5) will not weaken surrounding property values. Based on their findings, the Board may approve or deny the variance request. The City will provide written notification of the Commission's decision to the applicant within 10-days of public hearing.

Building Department

If the request is approved a building permit must be secured at the Building Department. An inspector will visit the property during construction, to ensure that all requirements are in compliance.