



## VARIANCE REQUEST APPLICATION

ADDRESS \_\_\_\_\_ Zoning \_\_\_\_\_

Legal Description: Lot \_\_\_\_ Block \_\_\_\_ Subdivision \_\_\_\_\_

If property is not platted, attach metes and bounds description and survey

Owner of Structure

Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

Owner of Ground if different from above

Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

Attach deed and deed restrictions associated with property for which variance is requested

Authorized Agent if applicable

Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Cell \_\_\_\_\_ Email \_\_\_\_\_

Attach letter signed by owner authorizing agent to act on the owner's behalf

Explain variance request

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Attach 11"x17" Site Plan showing property as it is and with proposed improvements drawn to scale

Cite ordinance applicable to variance request

Justify variance requested and explain hardship if variance is not granted

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### OWNER CERTIFICATION

Application is hereby made to the City of Rollingwood Board of Adjustment to request a variance as outlined above, and as contained in attachments to this application, and to request public hearing on this variance request at 403 Nixon Drive in Rollingwood, TX, on the date as set by the Board.

I agree to attend such hearing to represent this variance request and respond to the Board's questions or requests for additional information and documentation. If I am not able to attend the hearing, I will appoint an agent to represent me at the hearing and will submit to the City prior to the hearing written authorization for that agent.

I certify that this requested variance is in full conformity with and not contrary to any deed restrictions associated with my property listed herein. I DO SOLEMNLY SWEAR that to the best of my knowledge the above statements concerning this application are true and correct, and the undersigned has reviewed, understands and approves the request for a variance as stated.

\_\_\_\_\_  
(Signature) (Printed Name)

Date\_\_\_\_\_Telephone\_\_\_\_\_Email\_\_\_\_\_



ADDRESS \_\_\_\_\_ DATE RECEIVED \_\_\_\_\_

### APPLICATION CHECKLIST

- ☐ A letter addressed to the Board of Adjustment Chair, signed by the property owner and requesting the desired variance in the City's Ordinances and addressing the criteria contained in the attached ordinance, specifically 107-483 Variance.
- ☐ Completed and signed Variance Request Application, page 1 of 2
- ☐ Survey with Metes & Bounds Description if property is not platted
- ☐ Deed and deed restrictions
- ☐ Agent authorization letter if applicable
- ☐ Site Plan (current + proposed improvements)

#### 107-492 Variances

a) The board may authorize upon appeal, in specific cases, such variances from the terms of this article as will not be contrary to the public interest, where, owing to special conditions, literal enforcement of the provisions of this article will result in unnecessary hardship, and so that the spirit of this article shall be observed and substantial justice done, including the following:

- (1) Permit a variance in yard requirements where there are unusual and practical difficulties or unnecessary hardships in complying with such requirements due to an irregular shape of the lot, or topographical or other conditions.
- (2) Permit a variance from the requirement[s] of this article governing the construction or alteration of buildings or structures, whenever a property owner demonstrates that a strict application of such requirements will impose upon him unusual and practical difficulties or particular hardship.

(b) Prior to granting a variance in a zoning district other than a residential district, the board must find that:

- (1) The variance is the minimum variance that will make possible the reasonable use of the land, building or structure;
- (2) Granting the variance will be in harmony with the general purpose and intent of this article and will not be injurious to adjoining properties or the neighborhood, or be otherwise detrimental to the public welfare;
- (3) Literal interpretation of the requirements of this article would deprive the applicant of rights commonly enjoyed by the owners of other properties in the same district under the terms of this article;



(4) The special conditions with respect to which a variance is sought do not result from the action of the applicant;

(5) Granting the variance will not confer on the applicant any special privilege that is denied by this article to other land, buildings or structures in this same district;

(6) If applicable, there is sufficient water and wastewater capacity and fire service available to serve the applicant's land as developed under the variance without detriment to the other property within the city; and

(7) Granting the variance will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant such variance.

(c) Prior to granting a variance in a residential district, the board must find that:

(1) A special individual reason makes the strict application of this article impractical;

(2) Granting the variance will be in harmony with the general purpose and intent of this article and will not be injurious to adjoining properties or the neighborhood, or be otherwise detrimental to the public welfare;

(3) The granting of the variance will not be detrimental to the public health, safety, or welfare or injurious to the property in the area;

(4) There are special circumstances or conditions such as topography, natural obstructions, aesthetic or environmental considerations affecting the land involved such that the strict application of the provisions of this article would deprive the applicant of a reasonable use of his land;

(5) The granting of the variance will not have the effect of preventing the orderly development of other land in the area in accordance with the provisions of this article;

(6) If applicable, there is sufficient water and wastewater capacity and fire service available to serve the applicant's land as developed under the variance without detriment to the other property within the city; and

(7) The circumstances or conditions from which relief is sought are not solely of an economic nature.

(d) In granting a variance, the board may prescribe appropriate conditions and safeguards in conformity with this article.

(Code 1987, ch. 11, subch. G, art. XIV, § 10; Code 1995, § 14.02.810)



## APPLICATION FILING INSTRUCTIONS

Submit the application, supporting documents detailed in the checklist and filing fee. The City of Rollingwood will invoice the applicant upon receipt of the application. Filings are not considered administratively complete until payment has been received. The City shall accept checks or payments by credit card.

Application Fee - \$300.00

Date: \_\_\_\_\_

Check #: \_\_\_\_\_

Digital Inv #: \_\_\_\_\_

Deliver application packet to:

**Carrie Caylor**

**THE CITY OF ROLLINGWOOD**

Phone +1 (512) 327-1838

403 Nixon Dr. Rollingwood, TX 78746-5512

[www.rollingwoodtx.gov](http://www.rollingwoodtx.gov)

Email: [ccaylor@rollingwoodtx.gov](mailto:ccaylor@rollingwoodtx.gov)