

ZONING BOARD OF ADJUSTMENT AND APPEALS

INDEX

City Code Chapter 10, Article VIII, Division F

ITEMS REQUIRED FOR EACH APPLICATION:

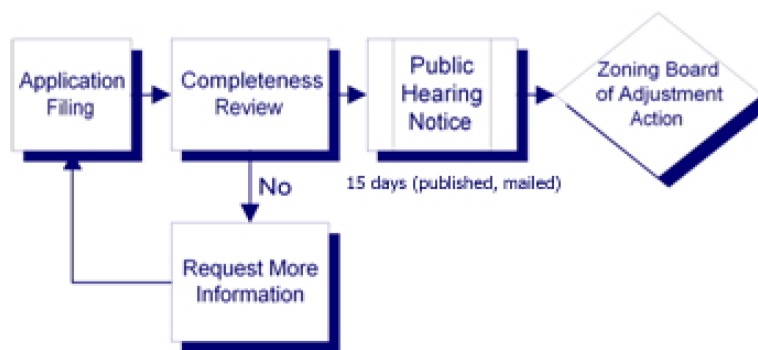
(The following items are included in this packet. Instructions are on each form. There is some repetition of information required; however, the different forms are for different processing.)

- A. **PETITION FOR VARIANCE REQUEST**
- B. **APPLICANT'S SUPPORT INFORMATION FOR VARIANCE REQUEST**
- C. **STATEMENT REGARDING RESTRICTIVE COVENANTS/DEED RESTRICTIONS**
- D. **AUTHORIZATION OF AGENT**
- E. **SITE PLAN (FORM F IS AN EXAMPLE ONLY)** - Provide a site plan of the variance request, indicating all existing improvements, structures, parking lots, driveways, etc., and the location of the proposed structure requiring the variance.
- F. **FEE** - See Section 10-776

PROCESS

Variance requests must be filed in the Planning and Zoning Department, 423 West Ferguson, Tyler, Texas. The filing deadline calendar can be found in the Planning and Zoning Department office. A public hearing will be held in the Council Chambers, City Hall, 212 North Bonner Avenue, Tyler, Texas.

PLEASE HAVE A REPRESENTATIVE PRESENT AT THE PUBLIC HEARING. THE APPLICANT HAS THE DUTY TO PRODUCE EVIDENCE BEFORE THE BOARD OF ADJUSTMENT TO JUSTIFY THE REQUESTED VARIANCE.



OFFICE USE ONLY

Filing Fee for Application

Receipt No.: _____ Amount: _____

Signed By: _____



PETITION FOR VARIANCE REQUEST

The undersigned, as owner or authorized agent for the owner(s) of the herein described property hereby makes application in the name of:

NAME _____ ADDRESS _____

Lot _____ Block _____ Address _____

The above described property appears on plat page(s) _____

The property is zoned _____ Overlay (if applicable) _____

Variance Requested (explain in full):

Signed:

Owner's telephone number

Owner of all property Owner

Or

Agent's telephone number

_____, Agent
(When applicable - See Form D)

Agent's Address _____

Owner's E-Mail Address _____

Agent's E-Mail Address _____



SUPPORT INFORMATION FOR VARIANCE REQUEST

1. What is the specific hardship involved?

2. Was the hardship created beyond the control of the Owner (or previous owners) or is it peculiar to this particular property? Please explain:

3. Does this property differ from other property in the same zone and vicinity as to size, shape, topography, location of surroundings? Please explain:

4. Can reasonable use be made of this property without the variance? Please explain:

5. Does existing zoning deprive this property of privileges currently being enjoyed by your neighbors? Please explain:

6. Will the Variance impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the likelihood of damage by fire? Please explain:

7. Will the Variance impair the health, safety, comfort, morals or general welfare of the inhabitants of the City of Tyler? Please explain:

8. Will the granting of a Variance be contrary to the plan of development for the general area? Please explain:

Signed:

OWNER

OR

AGENT (**When applicable- See Form D**)



STATEMENT REGARDING RESTRICTIVE COVENANTS/DEED RESTRICTIONS

I have diligently searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants that apply to the property as described in Form A which would be in conflict with this Variance request, except as follows:

(Copy here or attach any restrictive covenant(s) that apply to your request. If there are none, then enter the word "NONE".)

[Empty rectangular box for entering restrictive covenants or deed restrictions.]

Signed:

_____, Owner

_____, Agent

(When applicable - See Form D)

Definition:

"Restrictive Covenants and/or Deed Restrictions" are legal restrictions on the use of land in a subdivision, and are conditions under which you received title. These restrictions were made by the original developer, and can be different for each subdivision. The City of Tyler is not legally a party to these conditions and does not enforce them. Restrictive Covenants/Deed Restrictions are on file at the Smith County Courthouse and are also contained in the property abstract.



A. I (we), the undersigned, being owner(s) of the real property described above, do hereby authorize
(please print name) _____ to act as our agent in the matter of this
 request. The term agent shall be construed to mean any lessee, developer, option holder, or
 authorized individual who is legally authorized to act in behalf of the owner(s) of said property.
 (Application must be signed by all owners of the subject property).

(Please print all but signature)

Owner(s) Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

Signature: _____

Email: _____

Authorized Agent's Name: _____

Address: _____

Phone: _____

Owner(s) Name: _____

Address: _____

City, State, Zip: _____

Phone: _____

Signature: _____

Email: _____

Signature: _____

City, State, Zip: _____

Email: _____



SITE PLAN/VARIANCE ILLUSTRATION (Example Only)

Provide a site plan, drawn to scale of the requested variance. Indicate existing improvements, structures, parking lots, drive ways, etc., and the location of the proposed structure requiring the variance. Of primary concern are the minimum setback requirements (front, rear, side) and/or maximum height limitation that the variance is requested. For variance requests involving signs (location, size, height, number), submit a scaled rendering of the proposed sign and a site plan indicating the proposed location.