



ZONING BOARD OF ADJUSTMENT Hearing Application

SIGNATURES:

Applicant / Agent: _____

Property Owner (if different): _____

Signature: _____

Signature: _____

Mailing Address: _____

Mailing Address: _____

City: _____ State: _____ Zip Code _____

City: _____ State: _____ Zip Code _____

Telephone () _____

Telephone () _____

Fax () _____

Fax () _____

Email: _____

Email: _____

Applicant is requesting an appeal/interpretation for Article & Section No.: _____

Check one: Appeal Interpretation Variance

Describe requested appeal/interpretation/variance (Provide additional sheets if necessary)

Applicant hereby appeals this case to the Zoning Board of Adjustment for review and a decision. I do hereby certify that the above statements are true and correct.

Date _____ Applicant's signature _____

On this _____ day of _____, 20____, before me _____, the undersigned notary public, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he/she executed it.

WITNESS my hand and official seal: _____ [Seal]

**Additional Information Regarding
A Zoning Board of Adjustment Hearing**

The Zoning Board of Adjustment meets as needed at 7:00 p.m. in the Council Chamber Room, City Hall, 201 N. Ector.

Fees:

Variance to the zoning district regulations:

Residential.....	\$150.00
All Others.....	\$235.00
Variance to sign regulations.....	\$450.00
Appeal/Interpretation to the Zoning Board of Adjustment.....	\$75.00

The approval of this Board is not a permit. The permit is issued after the meeting if it is approved by the Board and must be on the job site before construction begins.

Please include in your application a letter describing the nature of the request as appropriate with the additional information per variance type.

PLEASE NOTE:

If the result of a Zoning Board of Adjustment decision grants a recorded variance to the property, the Applicant will be responsible for any fees required to record the decision with the Tarrant County Clerk's Office as part of the public record for the property.



APPLYING FOR A COMMERCIAL ZONING VARIANCE

INSTRUCTIONS

- 1. Conditions of Approval:** In making a decision regarding a requested Commercial Zoning Variance, the Zoning Board of Adjustment (ZBA) considers whether substantial reasons exist why the property cannot be used in accordance with current zoning, and whether the proposed change would:
 - Be contrary to the Comprehensive Land Development Plan
 - Alter a property that is suitably zoned and/or developed
 - Create an isolated district that is unrelated to adjacent and nearby districts
 - Encourage a population density or pattern that could increase the load on public facilities such as schools, utilities, or streets
 - Correct zoning boundaries that are illogically drawn in relation to existing property conditions
 - Be necessary due to changed or changing conditions
 - Adversely influence living conditions in the neighborhood
 - Create or excessively increase traffic congestion or otherwise affect public safety
 - Create a drainage problem
 - Seriously reduce light and air for adjacent areas
 - Adversely affect property values in adjacent areas
 - Be a deterrent to the improvement or development of adjacent property
 - Constitute a special privilege to an individual owner in contrast to public welfare
 - Be out of scale with the needs of the neighborhood or the community

- 2. Staff Review:** The application for Commercial Zoning Variance will first be reviewed by City Staff on the Development Services Group (DSG) for compliance with City codes, regulations, and policies. The following items must be submitted to the Planning and Development Department by noon on Monday in order to be distributed in the staff meeting the following day. All plans submitted shall be folded to approximately 8"x9", with the title on top.
 - Letter requesting to be heard by the ZBA for a variance including a statement of the nature of variance being requested and the address of the property
 - An application fee of **\$235.00** to be paid in full prior to any public notification or being placed on the board's agenda
 - Ten (10) copies of a site survey drawn to scale showing property lines, structures, physical constraints, and any other physical feature of the property which may illustrate the need for the variance.

- One (1) digital file copy of the site survey in .pdf format.
- The Commercial Zoning Variance Questionnaire- see attached document

3. Zoning Board of Adjustment Review: After staff comments are forwarded to the applicant and a revised plan is prepared, the revised plan is reviewed again by the DSG. If the revised plan conforms to City codes, regulations, and policies, it is certified as such and placed on the ZBA agenda. One (1) digital file copy of the site survey in .pdf format and three (3) folded and collated copies of the site survey must be submitted to the Planning and Development Department by noon on the Wednesday that is prior to the ZBA meeting.

Public hearings prior to the ZBA decision are required for all variance cases in order to give citizens who may be affected by the proposed change an opportunity to voice their support or opposition. When the case is certified and placed on the ZBA agenda, notices of the proposed change are sent to all property owners within 200 feet of the property prior to the ZBA meeting. At the ZBA meeting, the Board first holds the public hearing and then decides on the request based on the staff report and public input.

4. Presentation: It is recommended that applicants prepare a brief presentation on their proposal for each public hearing. Maps, slides, and handouts are helpful. The applicant should make the presentations, but it is recommended that the property owner also be present at the hearing to answer any questions if necessary. Applicants may want to include in their presentation:

- Compatibility of proposed variance with surrounding zoning and land uses
- Important physical features such as topography, roadways, or creeks
- A statement of the need for the proposed Commercial Zoning Variance
- Evidence of support from adjacent landowners

Further information on Commercial Zoning Variances can be found by calling the City of Eules Planning and Development Department at 817-685-1623 between 8:00 a.m. and 5:00 p.m. Monday through Friday or by looking at the Unified Development Code online at: www.eulesstx.gov

COMMERCIAL ZONING VARIANCE QUESTIONNAIRE

The City of Euless Zoning Board of Adjustments can grant a variance only when certain conditions are met. This questionnaire will assist the Board in determining whether the property in question meets the necessary conditions for a variance. Please complete and submit this form, using additional sheets if necessary.

1. How will public convenience and welfare be substantially served if the variance is granted?
2. How will granting this variance affect neighboring properties and what steps will be taken to prevent any substantial or permanent injury to neighboring properties.
3. How would the literal enforcement of the Code requirements result in an unnecessary physical hardship on the subject property?
4. Describe the physical defect in the subject property that prevents it from being developed in the same manner as neighboring properties
5. Variances cannot be granted to relieve self-created, personal, or financial hardships. Describe the hardship for which the variance is being requested.
6. Will the granting of this variance create a special privilege for the subject property that is not available for other properties under the terms of the United Development Code?