

**CITY OF TOM BEAN**

201 S Britton St., Tom Bean, TX 75489  
903-546-6321 Fax 903-546-4878

**VARIANCE APPLICATION FEE: \$300.00  
(EFFECTIVE 3-1-2019)**

The Board of Adjustment hears variance requests for site-specific regulations of the Zoning Ordinance. The Board operates under the authority and limitations provided by laws of the State of Texas and the Ordinances of the City of Tom Bean. It is important that before making application, you are fully informed about how the affected improvements do not meet applicable regulations and how they could be made to conform. Please review applicable ordinances and forms prior to submission of this application, including but not limited to the Zoning Ordinance and Subdivision Ordinance. Please review the requirement of *Texas Local Government Code* 211.009.

**APPLICATION FOR: VARIANCE REQUEST**

**TO THE CITY COUNCIL OF THE CITY OF TOM BEAN, TEXAS ACTING AS BOARD OF ADJUSTMENT**

**LOCATION OF VARIANCE REQUEST:**

Street/Known Address: \_\_\_\_\_

Property Description: Survey Name: \_\_\_\_\_

Abstract No. \_\_\_\_\_ Tract No. \_\_\_\_\_

Subdivision Name: \_\_\_\_\_ Lot No. \_\_\_\_\_ Block No. \_\_\_\_\_

Name of **Property Owner**: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

**IF APPLICABLE:** Owner hereby gives \_\_\_\_\_ permission to seek the Variance or appeal stated herein and to represent him/her at the meeting of the Board of Adjustment.

I hereby certify that the above statements are true and correct to the best of my knowledge.

\_\_\_\_\_  
Owner's Signature

**STATE OF TEXAS**  
**COUNTY OF** \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(seal)

\_\_\_\_\_  
Notary Public  
My Commission expires: \_\_\_\_\_

Name of **Applicant or Corporate Office**: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

<input type="checkbox"/> Seeking an appeal from Tom Bean's Comprehensive Zoning Ordinance Section _____ <input type="checkbox"/> Seeking a permit for the reconstruction of a building occupied by a nonconforming use. <input type="checkbox"/> Seeking a variance as follows:			
	<b>Ordinance Requirements</b>	<b>Requested Dimensions</b>	<b>Variance From Ordinance</b>
LOT SIZE			
LOT WIDTH			
LOT DEPTH			
SIDE YARD			
SIDE YARD			
SIDE YARD @ CORNER			
FRONT YARD			
YEAR YARD			
COVERAGE AREA			
PARKING SPACES			
OTHER: Specify Below			

OTHER: In accordance with the provisions of the Zoning Ordinance, petition is now made to the Honorable Board of Adjustment to grant the following variance request:

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**HARDSHIP FINDINGS**

**IN ORDER TO MAKE A FINDING OF A HARDSHIP AND TO GRANT A VARIANCE, THE [BOARD OF ADJUSTMENT] MUST DETERMINE THAT ALL OF THE FOLLOWING CONDITIONS ARE MET. STATE HOW YOUR REQUEST MEETS THESE CONDITIONS. PLEASE NOTE THAT THE STATED HARDSHIP MAY NOT BE FINANCIAL OR SELF-CREATED. TEXAS LOCAL GOVERNMENT CODE 211.009.** You may complete this form and/or provide a separate attachment and evidence.

**Please provide Applicant's Response to the applicable items below:**

1. The requested variance is not contrary to the public's interest and due to special conditions:  


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2. The requested variance allows the spirit of the Zoning Ordinance to be observed and substantial justice done:  


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3. The requested variance would not cause injury to or restrict development on any other parcel of land:  


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4. A literal enforcement of the ordinance would result in unnecessary hardship: The hardship sought to be avoided is NOT the result of (a) the applicant's own actions (self-imposed or self-created) and (b) economic or financial hardship because:

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5. The provisions of Zoning Ordinance No. 2008-15, and its amendments, that are sought to be varied deprive the applicant of the following rights to use his/her property that are commonly enjoyed by other properties in the same zoning district which comply with these ordinance provisions:

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6. The special or unique condition(s) of restricted area, shape, topography, or physical features that exist on the subject parcel of land, which are not applicable to other parcels of land in the same zoning district, and which cause unusual and practical difficulty or unnecessary hardship in compliance with the provisions sought here to be varied are:

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7. If the request is to permit the reconstruction, of a building occupied by a nonconforming use, such reconstruction will not prevent the return of such property to a conforming use because:

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**REQUIRED SUBMITTALS:**

- Completed application
- Owner permission, if applicable
- Application Fee
- Site Plan or Survey drawn to scale
- Description of proposed use of land

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by the City Council.

Signature of Applicant: \_\_\_\_\_ Date \_\_\_\_\_

Signature of Owner (if different) \_\_\_\_\_ Date \_\_\_\_\_

Application and fees in the amounts of \$ \_\_\_\_\_ received on \_\_\_\_\_ by \_\_\_\_\_

Case No. \_\_\_\_\_ Public Hearing by City Council on \_\_\_\_\_

**PASSED, AND APPROVED** by the City Council this \_\_\_ day of \_\_\_\_\_, 20\_\_.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Secretary (SEAL)