



APPLICATION TO THE
CITY OF GRANBURY
ZONING BOARD OF ADJUSTMENT
FOR A

VARIANCE/SPECIAL EXCEPTION

CITY OF GRANBURY, TEXAS

City of Granbury

Application for a Variance/Special Exception

Name of Applicant: _____

Date: _____

Fee: \$250

Name of Project: _____

Street Address of subject property: _____

Legal Description:

Tract (s) Lot (s) _____ Block (s) _____

of _____ Addition to the City of Granbury, Texas.

Or

Tract (s) _____ of the _____

Survey, Abstract No. _____, to the City of Granbury, Texas.

I hereby certify that all information provided is true and correct and all schedules will be strictly adhered to.

Property Owner:

(Signature)

(Printed name)

(Street Address)

(City, state & zip code)

(Telephone number)

Email

Applicant/Additional Contact:

(Printed name)

(Telephone number and Email)

Describe Variance/Special Exception:

Indicate **Section of the Zoning Ordinance** for which the variance/special exception is being requested.

City of Granbury Submittal Requirements for a Variance/Special Exception

Submit materials to the Community Development Department, City of Granbury, 116 West Bridge Street, Granbury, Texas 76048. The Granbury Zoning Board of Adjustment (ZBA) meets at 5:30 P.M. in the Council Chambers of City Hall. Reference yearly ZBA calendar for submittal deadlines and meeting dates.

REQUIRED SUBMITTAL MATERIALS:

- 1. A completed application for a Variance/Special Exception.**
- 2. A Site Plan drawing showing the Variance/Special Exception.**
- 3. One set of 8 ½" by 11" reproducible copies of all submitted exhibits.**
- 4. Application fee of \$250.00 plus \$150.00 for each additional section.**
- 5. One Digital Copy in JPG or BMP form.**

Failure to pay the required application fee or provide the information, drawings, or attachments in the form as requested shall be deemed an incomplete application and shall not be placed on the agenda for consideration until all information, fees, drawings, or attachments are deemed to be complete.

You or your representative must attend the meeting to present your request and to answer any questions that may arise. **Failure to attend the regularly scheduled meeting may result in the item being either tabled or denied.**

GRANBURY ZONING ORDINANCE, ARTICLE 2, SECTION 2.1.E - VARIANCES

In order to grant a variance from these zoning regulations, the ZBA must make written findings that the literal enforcement of the Zoning Ordinance creates unnecessary hardship due to special conditions, using the following criteria:

- A. That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property;
- B. That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district;
- C. That the relief sought will not injure the permitted use of adjacent conforming property; and
- D. That the granting of a variance will be in harmony with the spirit and purpose of these regulations.

In exercising its authority under Zoning Ordinance, Section 2.1.C, the ZBA may consider the following as grounds to determine whether compliance with the Zoning Ordinance as applied to a structure that is the subject of the appeal would result in unnecessary hardship:

- A. The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under section 26.01, tax code;
- B. Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur;
- C. Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement;
- D. Compliance would result in the unreasonable encroachment on an adjacent property or easement;
or
- E. The municipality considers the structure to be a nonconforming structure.

A variance shall not be granted to relieve a self-created or personal hardship, nor shall it be based solely on economic gain or loss, nor shall it permit any person a privilege in developing a parcel of land not permitted by this Ordinance to other parcels of land in the particular zoning district. No variance may be granted which results in undue hardship on another parcel of land.

The applicant bears the burden of proof in establishing the facts justifying a variance.

GRANBURY ZONING ORDINANCE, ARTICLE 2, SECTION 2.1.F - SPECIAL EXCEPTIONS

- A. The ZBA shall have the authority to hear and allow special exceptions only for nonconforming buildings and only when the use is conforming.
- B. In granting a special exception, the ZBA shall not authorize uses that are not allowed under the terms of this ordinance for the respective district.
- C. A proof of hardship is not required for granting a special exception.

If a decision of denial has been rendered by the ZBA, there shall be a six (6) month holding period before any new application may be filed for consideration by the ZBA for the same request.

2.1.E VARIANCES - Fill out form completely and return for a variance request, if applicable.

In order to grant a variance from these zoning regulations, the applicant must propose that:

Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same district.

That literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance.

That the special conditions and circumstances did not result from the actions of the applicant.

That granting the Variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, structures, or buildings in the same district.

The financial cost of compliance is greater than 50 percent of the appraised value of the structure as shown on the most recent appraisal roll certified to the assessor for the municipality under section 26.01, tax code.

Compliance would result in a loss to the lot on which the structure is located of at least 25 percent of the area on which development may physically occur.

Compliance would result in the structure not being in compliance with a requirement of a municipal ordinance, building code, or other requirement.

Compliance would result in the unreasonable encroachment on an adjacent property or easement.

The municipality considers the structure to be a nonconforming structure.

Applicant please note, that hardships cannot be self-imposed or based on financial gain.

2.1.F SPECIAL EXCEPTIONS – Fill out form completely and return for a special exception request, if applicable.

A proof of hardship is not required for granting a special exception. The applicant bears the burden of proof to support the Special Exception request.

Describe how the permitted special exception (if granted) would impact upon neighboring properties or would be contrary to the public interest.

Describe any beneficial effects of the permitted special exception (if granted) to neighboring property, the city, or the public in general.

Explain how the permitted special exception (if granted) is consistent with the purpose and intent of the current Zoning Ordinance regulations.

Any additional comments you would like to add regarding the requested special exception.