



Zoning Variance – Application Checklist

Incomplete submissions will NOT be accepted

For Office Use Case No. _____

Application Completeness Requirements:

- Development Application signed by property owner
- This checklist (signed by applicant or authorized representative)
- Certified Copy of a Tax Certificate showing no taxes owed (if taxes are owed submit Tax Receipts with the Certificate showing a zero balance owed)
- Application fees in the form of a check made payable to City of Garden Ridge
- A letter addressed to the Board of Adjustment, signed by the property owner and requesting the desired zoning variance from the City's Zoning Ordinance and prepared in accordance with the criteria below
- 3 copies of a Site Plan drawn to scale or survey and formatted to 11" by 17", showing all existing and proposed improvements, setbacks from property lines, easements, building elevations, and other relevant information (if applicable)
- A list of all properties within 200' including the owner's name, mailing address, current land use, and zoning
- Digital copy in .pdf format of entire application submission (application, checklist, exhibits, etc.) on CD or USB drive
- Any additional information deemed necessary for processing and evaluating this request

Request Letter Criteria

The letter describing the request shall include the specific section from the Zoning Ordinance for which the variance is being sought, a description of the requested variance and why it is needed, and include a justification for the variance addressing all of the following:

1. Unique Circumstances - That there are special circumstances or conditions affecting the land involved such that the application of the Ordinance's provisions would deprive the Applicant of the reasonable use of his/her land.
2. Minimum Necessary Relief Required to Alleviate the Undue Hardship - The Zoning Variance, if granted, would be the minimum necessary relief required to alleviate the undue hardship.
3. Preservation of Property Rights - That the Zoning Variance is necessary for the preservation and enjoyment of a substantial property right of the Applicant.
4. No Substantial Detriment to the Public Good - That the granting of the Zoning Variance will not be detrimental to the public health, safety, or general welfare, impair the purposes and intent of this Ordinance and the Comprehensive Plan or be injurious to other property within the area.
5. Orderly Use of Land - That the granting of the Zoning Variance will not have the effect of preventing the orderly use of other land within the area in accordance with this Ordinance.
6. A Finding of Undue Hardship- In order to grant a Zoning Variance, the Board of Adjustment must make findings that an undue hardship exists, using the following criteria:
 - a. That the requested variance does not violate the intent of the zoning regulations.
 - b. That special conditions of restricted area, topography or physical features exist that are peculiar to the subject parcel of land and not applicable to other parcels of land in the same zoning district.
 - c. That the relief sought will not injure the permitted use of adjacent conforming property.
 - d. That the granting of a Zoning Variance will be in harmony with the spirit and purpose of these regulations.
 - e. That the hardship is in no way the result of the applicant's own actions.

- f. That the interpretation of the provisions of the regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district that comply with the same provisions.
7. (If applicable) If the hardship is applied to a structure, the following may be considered grounds to determine whether an undue hardship would result from compliance with the ordinance:
- 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.

Additional information regarding zoning variances may be found in the City's Zoning Ordinance Sec. 2.08.02 Zoning Variance.

Submittal Information

- INCOMPLETE APPLICATIONS AND SUBMITTALS WILL BE REJECTED; an application may be deemed incomplete after initial staff review.

Questions shall be directed to, and complete applications shall be submitted in person to the following:

City of Garden Ridge
 Attn: City Administration
 9400 Municipal Parkway
 Garden Ridge, TX 78266
 (210) 651-6632
Administrator@ci.garden-ridge.tx.us

Appearance at Meetings

It is strongly advised that the applicant or applicant's authorized agent be represented at the public hearing and Board of Adjustment meeting where this request will be heard.

Preparer's Certification

I hereby certify that the information provided is true and correct to the best of my knowledge.

Preparer's Signature: _____ Date: _____

Printed Name: _____

Company Name: _____