



## ZONING VARIANCE APPLICATION CHECKLIST

### APPLICANT AND PROJECT INFO

Applicant Name: \_\_\_\_\_  
Applicant Phone #: \_\_\_\_\_  
Project Name: \_\_\_\_\_  
Project Location: \_\_\_\_\_

This checklist is intended to provide information and data needed to constitute a complete application. A request for a zoning variance requires review by staff and approval by the Zoning Board of Adjustments. In accordance with UDC Article 3 Zoning Regulations. Incomplete applications will not be accepted.

### MY GOVERNMENT ONLINE SUBMISSION REQUIREMENTS

The City of Bee Cave utilizes a digital review system called MyGovernmentOnline, which requires certain digital submittal standards. For more detailed information and troubleshooting, please review the separate MyGovernmentOnline User Guide available at <http://www.MyGovernmentOnline.org/>

### APPLICATION FEES

All application fees shall be paid in full according to the adopted Fee Schedule. The adopted Fee Schedule is available on the City Website: <http://www.BeeCaveTexas.gov/>

### ZONING VARIANCE PROCESS

The process for applying for a zoning variance involves the following steps:

1. **Pre-Application Conference.** Prior to filing of a zoning variance, the owner may consult with the Planning Director, and other City staff concerning compliance with all applicable ordinances and regulations.
2. **Submittal of Application and Completeness Check.** The applicant will provide all required documents and fees along with the signed application and applicable checklist for a completeness check. Staff will review the documents for completeness of items listed on the checklists and provide feedback about any additional information or documents required from the applicant. Staff will perform a completeness check within 10 business days. **If the application is deemed incomplete, the applicant will have 45 calendar days to resubmit the incomplete items, or the application will expire.**
3. **Filing Date.** Upon determination of application completeness, the application will be considered filed with the Planning and Development Department. The application will be distributed to all applicable staff members for review.



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4. **Review.** City Staff will review the application for compliance with the UDC and other city requirements and provide comments. The applicant may need to make changes and revisions to the application or supporting materials. After staff comments are resolved, staff will compile a staff report to be submitted to the BOA for review, post the item on the next regularly scheduled meeting of the BOA and provide required public notice. **New information submitted after property owner notification will not be included in the agenda packets for the BOA's consideration.**
5. **Public Notice.** Written notice of public hearing before the Zoning Board of Adjustments shall be sent to all owners of real property within two hundred (200) feet of the subject property requesting the variance not fewer than eleven (11) calendar days before the date of the Board hearing. Notice of the time and place of the hearing for an application will also be published in a newspaper of general circulation not fewer than eleven (11) calendar days before the date of the hearing.
6. **Action.** Zoning Variances require Zoning Board of Adjustments approval (Subsection 3.6.1 of Article 3 Zoning Regulations). Please see section 3.6.2.A.1 for the conditions required for approval.
7. **Finality of BOA Decision.** The decision of the Board shall be final. However, any of the following persons may present to a district court, county court, or county court at law a verified petition stating that the decision of the Board is illegal in whole or in part and specifying the grounds of the illegality:
  - a. A person aggrieved by the decision;
  - b. A taxpayer; or
  - c. An officer, department, or board of the City;The petition must be presented within ten (10) days after the date the decision is filed in the Board's office. Subject to the provisions of TLGC Section 211.011.

### REQUIRED ITEMS FOR SUBMITTAL OF A COMPLETE APPLICATION

The following is grouped into the electronic documents that will be required for submittal. The list below each document heading shows the individual items that are to be combined to form the PDF document. Please review the Detailed Information section of this form for help in preparing each of these items. Please, flatten all PDF before submittal and rename documents for easy readability.

- Application Information**
  - Deed showing current ownership
  - Notarized Verification of Land Ownership Form
  - Authorization Agent Designation Form (if applicant different than owner)
  - Written consent to the variance application from each lienholder of the subject property (if applicable)
  - Current Title Commitments
  - Original Tax Certificate issues by Travis Central Appraisal District and showing no taxes due



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- Covenants, Deed Restrictions (newly applicable and previously recorded)
- Survey (boundary survey or plat, including metes and bounds, sealed by a licensed surveyor)
- Zoning Variance Request**
  - Project Summary that identifies the section of Code from which you are requesting a variance, describes the basic components of the request, and separately addresses each of the following items:
    - That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of Article 3 would deprive the applicant of the reasonable use of the land; and
    - That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
    - That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property within the area; and
    - That the granting of the variance will not have the effect of preventing the orderly use of other land within the area in accordance with the provisions of this Section 3.6.
  - Any visual description of the circumstances necessitating the variance (i.e., Photos, Maps, Plans)
  - Any other relevant supporting documents or research

**NOTE: The applicant bears the burden of proof in establishing the facts that may justify a variance**

- Fees (located on the Fee Schedule)**