



## Variance Application

| <u>Property Description</u>   |       |                        |         |  |
|---|-------|------------------------|---------|--|
| Name of Project/Business: _____   |       |                        |         |  |
| Street Address: _____   |       |                        |         |  |
| Legal Description: Block _____, Lot _____, Property ID # _____                  |       |                        |         |  |
| Dimensions of Lot: _____  |       |                        |         |  |
| Frontage  | Depth | Square Feet            | Acreage |  |
| Flood Zone: Yes / No (Circle)   |       | Zoning District: _____ |         |  |
| Existing Building(s) on Property: Yes / No (Circle) If so, how many? _____      |       |                        |         |  |
| Total square footage of all buildings on property: _____                        |       |                        |         |  |
| Is a portion of this property located in an Overlay District? Yes / No (Circle) |       |                        |         |  |

| <u>Applicant</u> (if different from owner) | <u>Owner</u>            |
|--|-------------------------|
| Name: _____                                | Name: _____             |
| Company: _____                             | Company: _____          |
| Address: _____                             | Address: _____          |
| Telephone Number: _____                    | Telephone Number: _____ |
| Fax Number: _____                          | Fax Number: _____       |
| Email Address: _____                       | Email Address: _____    |

*I herby certify that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.*

|                            |                          |
|----------------------------|--------------------------|
| Applicant Signature: _____ | Owner's Signature: _____ |
|----------------------------|--------------------------|

I, the undersigned property owner or applicant of the following described real property located in the City of Corsicana, Texas hereby make this application for variance, by requesting approval for the following project:  
 (Include how the project plans vary from the Zoning Ordinance)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Indicate the number and give a brief description of the Section of the Zoning Ordinance for which the variance is being requested.

\_\_\_\_\_

\_\_\_\_\_

# **APPLICANT'S SUPPORT INFORMATION FOR VARIANCE REQUEST**

**Applicant shall submit the following information in support of their Variance Request:**

1. What is the specific hardship involved?
  
2. Was the hardship created beyond the control of the Owner (or previous owners) or is it uncharacteristic to this property? Please explain.
  
3. Does this property differ from other property in the same zone and vicinity as to size, shape, topography, location of surroundings? Please explain.
  
4. Can reasonable use be made of this property without the variance? Please explain.
  
5. Does existing zoning deprive this property of privileges currently being enjoyed by your neighbors? Please explain.
  
6. Will the Variance impair an adequate supply of light and air to adjacent properties, or unreasonably increase the congestion in public streets, or increase the likelihood of damage by fire? Please explain.
  
7. Will the Variance impair the health, safety, comfort, morals or general welfare of the inhabitants of the City of Corsicana? Please explain.
  
8. Will the granting of a Variance be contrary to the plan of development for the general area? Please explain.

Signed:

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Applicant (if applicable)

**STATEMENT REGARDING RESTRICTIVE COVENANTS/DEED RESTRICTIONS**

**I have diligently searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants that apply to the property as described in page two of this application which would be in conflict with this Variance request, except as follows:**

**(Copy here or attach any restrictive covenant(s) that apply to your request. If there are none, then enter the word "NONE".)**

**Signed:**

\_\_\_\_\_, **Owner**

\_\_\_\_\_, **Applicant**  
**(If different from owner)**

**Definition:**

**“Restrictive Covenants and/or Deed Restrictions” are legal restrictions on the use of land in a subdivision, and are conditions under which you received title. These restrictions were made by the original developer, and can be different for each subdivision. The City of Corsicana is not legally a party to these conditions, but the owner of any property in the subdivision has the right to file litigation if you violate such Restrictive Covenants/Deed Restrictions. Restrictive Covenants/Deed Restrictions are on file at the Navarro County Courthouse and are also contained in the property abstract.**

## Variance Submittal Requirements

State law requires that the Zoning Board of Adjustment (BOA) make its decisions from findings presented in the Public Hearing. The only way for this to occur is for you to present the evidence by your testimony in the Public Hearing or by submitting it without application. Please be as thorough as you can.

### Conditions Governing the Application Procedures:

Section 18-104 (C) of the City of Corsicana Zoning Ordinance states the following regarding Variances:

**Jurisdiction.** When in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board of Adjustment may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards authorize the following special exceptions to the regulations herein established.

- A. Permit the reconstruction, extension or enlargement of a building occupied by a nonconforming use on the lot or tract occupied by such building or the reconstruction of a structure destroyed by fire or the elements not to exceed sixty (60) percent of its reasonable value and the addition of off-street parking or off-street loading to a nonconforming use.
- B. To hear and decide appeals where it is alleged there is error on any order, requirement, decision or determination made by the Building Official in the enforcement of this Ordinance.
- C. Permit such variance or modifications of the height, yard, area, coverage and parking regulations as may be necessary to secure appropriate development of a parcel of land which differs from other parcels in the district by being of such restricted area, shape or slope that it cannot be appropriately developed without such modification. In exercising its power to grant a variance in accordance with this Ordinance, the Board of Adjustment shall make findings and show in its minutes that:
  1. There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions and location that do not apply generally to other property in the same area and the same zoning district.
  2. That a variance is necessary to permit the applicant the same rights in the use of his property that are presently enjoyed, under the Ordinance, by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made.
  3. That the granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the Land Use Plan and will not adversely affect any other feature of the Comprehensive Plan of the City of Corsicana.
  4. That the variance, if granted, will be no material detriment to the public welfare or injury to the use, enjoyment or value of property in the vicinity.

The City of Corsicana Zoning Board of Adjustment (BOA) meets at 10:00 a.m. for the regularly scheduled meeting on the 1<sup>st</sup> Thursday of each month (excluding holidays).

You and/or your representative need to attend the meeting to present your request for a Variance and to answer any questions that may arise.

**It is crucial that a representative for this case be present at all BOA meetings when this case is being considered.**