



# APPLICATION FORM - VARIANCE ZONING BOARD OF ADJUSTMENT

Planning and Development Division  
823 Rosenberg, 4th Floor, Room 401, Galveston, TX 77550

409/797-3660

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## Zoning Board of Adjustment Meeting Schedule - 2021

Deadline / Meeting	Deadline / Meeting	Deadline / Meeting	Deadline / Meeting
<b>January</b> 12/9.....1/6	<b>April</b> 3/3.....4/7	<b>July</b> 6/9.....7/7	<b>October</b> 9/8.....10/6
<b>February</b> 1/6.....2/3	<b>May</b> 4/7.....5/5	<b>August</b> 7/7.....8/4	<b>November</b> 10/6.....11/3
<b>March</b> 2/3.....3/3	<b>June</b> 5/5.....6/9	<b>September</b> 8/4.....9/1	<b>December</b> 11/3.....12/8

*Meetings typically are 4:00pm in City Council Chambers, 2nd Floor of City Hall, 823 Rosenberg. Verify with staff prior to meeting date.*

### I. PROPERTY INFORMATION

Street Address/Location

Legal Description (Lot Number, Block Number, Subdivision)

Present Use(s) and Improvement(s) on Property

Proposed Use(s) and Improvement(s) on Property

### II. APPLICANT INFORMATION

Property Owner Name

Telephone

Mailing Address

E-mail Address

Applicant/Representative Name

Telephone

Mailing Address

E-mail Address

### III. VARIANCE REQUEST

Applicable section(s) of the Land Development Regulations: \_\_\_\_\_

Specifically state the Variance(s) being requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IV. ACKNOWLEDGEMENTS**

I certify that [ ] I am the legal owner on record, or [ ] I have secured the property owner’s permission and have full authority to make this application, and that the above information is correct and complete to the best of my knowledge and ability.

**Please read and initial below:**

\_\_\_\_\_ I understand that all documents submitted with this application are subject to open records requests in accordance with the Open Records Act / Texas Public Information Act.

\_\_\_\_\_ I understand that receipt of an application does not constitute application completeness and that staff will review the application and return incomplete applications. I understand that application fees are non-refundable once an application has been accepted and processed.

\_\_\_\_\_ I understand that if I am not present or represented at the public hearing, the Zoning Board of Adjustment may defer or disapprove/deny the application.

\_\_\_\_\_ I understand that, in considering my application, the Zoning Board of Adjustment may grant a variance only if the variance is not prohibited by the Land Development Regulations, and if the following are demonstrated:

- 1.The request for the variance is rooted in special conditions of the applicant's property that do not generally exist on other properties in the same zoning district.
- 2.Due to said special conditions, the literal enforcement of the strict terms of these Land Development Regulations would impose an unnecessary hardship on the applicant.
- 3.The variance is not contrary to the public interest, in that:
  - a. It does not allow applicants to impair the application of these regulations for:
    - i. Self-imposed hardships;
    - ii. Hardships based solely on financial considerations, convenience or inconvenience; or
    - iii. Conditions that are alleged to be "special," but that are actually common to many properties within the same zoning district.
  - b. The variance will not have a detrimental impact upon:
    - i. The current or future use of adjacent properties for purposes for which they are zoned;
    - ii. Public infrastructure or services; and
    - iii. Public health, safety, morals and general welfare of the community.
- 4.The degree of variance allowed from these Land Development Regulations is the least that is necessary to grant relief from the identified unnecessary hardship.
- 5.The variance shall not be used to circumvent other procedures and standards of these Land Development Regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are available that would avoid or mitigate hardship without using a variance, then they must be used).
- 6.By granting the variance, the spirit of these Land Development Regulations is observed and substantial justice is done.

\_\_\_\_\_  
Printed Name and Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name and Signature of Property Owner

\_\_\_\_\_  
Date

**V. APPLICANT CHECKLIST**

- ✓ All documents should be provided in 8.5" x 11", or please fold to appropriate size if larger. All drawings must be to scale.
- ✓ Please provide electronic copies, if available. Other pertinent information to support said request should also be attached.

[ ] **Pre-Application Meeting with City Staff** (Staff initial here if waived: \_\_\_\_\_)

[ ] **Site Plan, (1 copy)** – Site Plan must include:

- Scale, North Arrow, Legal Descriptions, Street Address
- Location and dimension of the lot(s) and adjacent lots that may be impacted
- Footprint of all existing and proposed structures, with dimensions and distance from property lines and adjacent buildings
- All building setbacks (front, rear, side, structure to structure)
- Location/type of driveways and sidewalks, with dimensions
- Alley location and dimensions (where applicable)

[ ] **Survey, (1 copy)**

[ ] **Title Report, (1 copy)** – if property was purchased within the last 60 days.

[ ] **Justification for the Request**

[ ] **Non-Refundable Application Fee \$375.00** (payable to the City of Galveston)

**APPLICANT’S JUSTIFICATION FOR THE REQUEST  
\*REQUIRED – MUST BE FILLED OUT COMPLETELY\***

The Zoning Board of Adjustment shall approve or deny variances from the zoning related development standards (such as height, bulk or area) of these regulations. A variance may be granted only if it is not prohibited by Section 12.401.C, and if the Zoning Board of Adjustment makes a determination in writing that all of the following are demonstrated:

**How is the request for the variance rooted in special conditions of your property that do not generally exist on other properties in the same zoning district?**

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**Due to said special conditions, how would the enforcement of the strict terms of these regulations impose an unnecessary hardship on you?**

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**Explain how the variance is not contrary to the public interest.**

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**Explain how the variance does not allow you to impair the application of these regulations for:**

- **Self-imposed hardships;**
  - **Hardships based solely on financial considerations, convenience, or inconvenience; or**
  - **Conditions that are alleged to be "special" but that are actually common to many properties within the same zoning district.**
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**Explain how the variance will not have a detrimental impact upon:**

- **The current or future use of adjacent properties for purposes for which they are zoned;**
  - **Public infrastructure or services; and**
  - **Public health, safety, morals, and general welfare of the community.**
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**Explain how the degree of variance allowed from these regulations is the least that is necessary to grant relief from the identified unnecessary hardship.**

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**Explain how the variance shall not be used to circumvent other procedures and standards of these regulations that could be used for the same or comparable effect (e.g., if alternative development patterns, alternative development standards, or other flexible measures in these regulations are available that would avoid or mitigate hardship without using a variance, then they must be used).**

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**By granting the variance, is the spirit of the Land Development Regulations observed and substantial justice done?**

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