



**City of Cresson**  
 P.O. Box 619  
 Cresson, TX 76035  
 817-396-4729

- COMPLETE APPLICATION CHECK LIST:**
- Completed Application
  - Fee
  - Legal Description of Property
  - Concept Plan
  - List of Property Owners & Addresses w/in 200 ft
  - Written justification of request.
  - One set of 8-1/2 x 11 reproducible copies  
 OR One digital copy in PDF format.

**APPLICATION for ZONING VARIANCE:**

Name of Applicant/Owner:	Date:
Name of Applicant(s)/Owner(s)' Agent:	Fee: see Development Fees

**Property Owner(s):** (signature required)

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(Signature) \_\_\_\_\_ (Street Address) \_\_\_\_\_

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(Printed Name) \_\_\_\_\_ (City, State & Zip Code) \_\_\_\_\_

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(Telephone No.) \_\_\_\_\_ (Email Address) \_\_\_\_\_

I, \_\_\_\_\_, as owner or duly authorized officer of the property hereinafter referenced do hereby execute this document (above) and certify that all taxes owed on the subject parcel(s) have been paid to the current year. (Please attach blue tax certificate.)

**Applicant/Owner(s)' Agent:** (signature required – attach additional pages if needed)

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(Signature) \_\_\_\_\_ (Street Address) \_\_\_\_\_

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(Printed Name) \_\_\_\_\_ (City, State & Zip Code) \_\_\_\_\_

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(Telephone No.) \_\_\_\_\_ (Email Address) \_\_\_\_\_

**Surveyor or Land Planner:** (signature required)

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(Signature) \_\_\_\_\_ (Street Address) \_\_\_\_\_

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(Printed Name) \_\_\_\_\_ (City, State & Zip Code) \_\_\_\_\_

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(Telephone No.) \_\_\_\_\_ (Email Address) \_\_\_\_\_

## VARIANCE INFORMATION:

In accordance with Section 42 of the City of Cresson Zoning Ordinance, the Zoning Board of Adjustment may approve modifications or variances to specific standards to specific zoning district standards on specific property in order to permit the equitable treatment of the land or tract in light of an unusual condition. Any variance granted shall not have the effect of nullifying the intent and purpose of the City's regulations.

Proposed Use(s): \_\_\_\_\_  
 \_\_\_\_\_

Is the proposed use listed as a Permitted Use as listed in Land Use Table in Section 12.2 of the Zoning Ordinance?  Yes  No; listed as \_\_\_\_\_

List the specific Article and Section of the Zoning Ordinance and the district requirements requested for a variance:

<u>Article and Section(s)</u>	<u>Zoning District Requirements</u>
<i>Ex. Art. 4, Section 20-3</i>	<i>Ex. Max. Building Height of 35 ft.</i>
_____	_____
_____	_____
_____	_____

**Concept Plan:** (As per Section 42.6.A.b attach the plan on a separate sheet showing the following minimum requirements.)

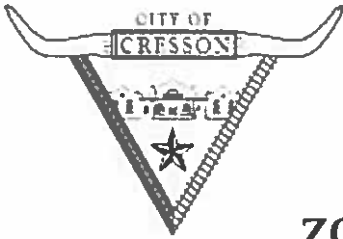
1. Title, name of subdivision, existing zoning, existing and proposed uses.
2. Name and address of property owner and surveyor or land planner.
3. Property lines with bearings and distances.
4. Scale and north arrow (min. scale of 1" = 100').
5. Proposed setbacks and footprint of proposed structures.
6. All existing and proposed structures, streets, alleys, easements, driveway, trees and signs.
7. Zoning and existing uses of adjacent properties.

**Justification:** To describe the variance request, please respond to each of the conditions below on a separate sheet of paper. In order to grant a variance from the Zoning Ordinance district requirements in accordance with Section 42, the applicant must provide evidence and testimony that:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
2. 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.
3. That granting the variance requested will not confer on this applicant any special privilege that is denied by the zoning ordinance to other lands, structures or buildings in the same district.
4. The fact that there may be nonconforming uses, structures or buildings in the same district, neighboring lands or other districts shall not be considered as grounds for the issuance of a variance.

### For Office Use Only

Application accepted by:	Date:
Checked for completeness by:	Date:
Application Fee paid: \$	Date:
DRC	Date:
Zoning Board of Adjustment:	Date of Meeting:
Staff Comments:	



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## ZONING VARIANCE REVIEW PROCESS:

Submit material to the City of Cresson offices located at 8901 Hwy 377, Cresson, TX 76035 no later than 12 noon on the 1<sup>st</sup> Monday of every month.

A complete application is required for acceptance of the application. The following lists the minimum items for a complete application:

1. A **completed application form** for Variance.
2. Application fee (see Development Fees)
3. List of all **property owners and addresses** within 200' of subject property.
4. **Legal description** of subject property.
5. A **Concept Plan** showing the proposed use and existing features on the subject property.
6. **Written justification** describing variance.
7. 1 set - 8 ½" x 11" reproducible copy of plat (each page, as applicable)  
OR 1- digital copy in PDF format.

Failure to pay the required fee or provide the information itemized above will result in an application submittal that is deemed incomplete. Incomplete applications will not be accepted for review or placement on the Zoning Board of Adjustment agenda.

The request will be placed on an agenda to go before the Zoning Board of Adjustment once the complete application has been reviewed by the Development Review Committee (DRC) and the requested revised and/or additional information has been provided to the City by the applicant. Revisions and/or additional information required as a result of the DRC review will be compiled into a single letter and faxed or mailed to the applicant. Failure to provide any necessary revised information with regards to this request by the deadline as indicated by staff will delay the consideration of the application. Once the requested revised information is reviewed by the City and deemed complete, the request shall be placed on an agenda for a regularly scheduled meeting of the Zoning Board of Adjustment within 30 days.

The Zoning Board of Adjustment meets once every month, as needed. The owner or the owner(s)' agent must attend the public hearing in order to represent the case to the Zoning Board of Adjustment, as necessary. Failure to attend the regularly scheduled meeting may result in the request being either tabled or denied.

Please refer to the City of Cresson Zoning Ordinance, Section 42 for the specific requirements and process pertaining to a request for a Zoning Variance.

**FOR ANY QUESTIONS OR ADDITIONAL INFORMATION, PLEASE CALL 817.396.4729**