NOTE TO APPLICANTS: IT IS YOUR RESPONSIBILITY TO THOROUGHLY READ AND UNDERSTAND THIS APPLICATION PACKET AND TO PROVIDE ALL INFORMATION REQUIRED HEREIN BEFORE THIS APPLICATION WILL BE ACCEPTED. INCOMPLETE APPLICATIONS WILL BE RETURNED.

WHAT IS A VARIANCE?

A variance is an adjustment in the application of the zoning regulations to a specific parcel of property based on special conditions or circumstances peculiar (unique) to the parcel of property where a literal enforcement of the provisions will result in unnecessary hardship. A variance is in the nature of a waiver of the strict letter of the zoning law upon substantial compliance with it and without sacrificing its spirit and purpose where the variance is necessary to allow the property owner to enjoy the same or similar rights enjoyed by other parcels in the same vicinity and zoning district.

WHO MAY SEEK A VARIANCE?

Appeals to the Board of Adjustment can be taken by any person aggrieved or by an officer, department, or board of the municipality affected by the decision of the administrative officer. The appeal can be based upon an alleged error in any order, requirements, decision, or determination made by the Chief Building Official or other officer in the enforcement of Zoning Ordinance No. 1710.

ON WHAT SPECIFIC ITEMS MAY I SEEK A VARIANCE?

Zoning Ordinance No. 1710 provides that the Board of Adjustment may 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 authorize the following special exceptions:

1. Permit the reconstruction, extension, or enlargement of a building occupied by a nonconforming use on the lot or tract occupied by such building provided such reconstruction does not prevent the return of such property to a conforming use.

2. Permit such 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.

3. Require the discontinuance of nonconforming uses of land or structure under any plan whereby the full value of the structure and facilities can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of Zoning Ordinance No. 1710. All actions to discontinue a nonconforming use of land or structure shall be taken with due regard for the property rights for the persons affected when considered in the light of the public welfare and the character of the area surrounding the designated nonconforming use and the conservation and preservation of property.

UNDER WHAT CIRCUMSTANCES CAN A VARIANCE NOT BE GRANTED?

A variance may not be granted for a different reason other than those specifically set out above. In addition, a variance cannot be granted unless an "unnecessary hardship" exists. The following do NOT constitute an unnecessary hardship:

1. the property cannot be used for its highest and best use;

2. financial or economic hardship;

3. self-created hardship;

4. the development objectives of the property owner are or will be frustrated; or

5. if the hardship is common to other similarly classified properties.
HOW DO I APPLY FOR A VARIANCE?

1. COMPLETE THE APPLICATION FOR A VARIANCE: After reviewing the entire application packet carefully, prepare all the information requested on the application. A complete application must including the following:
   - Written authorization from the owner of the property on which the variance is sought.
   - Application fee
   - Site plan or survey drawn to scale of the subject property

2. SUBMIT APPLICATION: Submit all the required application materials to the Community Development Department at 150 1st Street S.E. The Community Development Department Staff cannot accept an incomplete application.

HOW LONG DOES IT TAKE TO COMPLETE THE VARIANCE PROCESS?

1. FILING DEADLINE: Completed applications for appeals must be filed no later than 5:00 p.m. on the second Tuesday of each month to the Community Development Department.

2. LEGAL NOTICES: The City of Paris is required to provide legal notice of a requested variance to property owners within two hundred (200) feet of the property at least ten (10) days prior to the date of the public hearing.

3. PUBLIC HEARING: The Board of Adjustment meets on the first Tuesday of each month at 12:00 p.m. in the City Council Chambers, City Hall. It is very important that applicants appear at this hearing in order to answer questions from Board and from the surrounding property owners. It is the general practice of the Board to deny requests when an applicant fails to appear.

4. EFFECTIVE DATE: After approval of a variance by the Board of Adjustment, the variance goes into effect immediately. If the property on which the change is approved requires platting prior to any construction, the plat must make note of the variance and the date of approval, and the plat must be approved prior to construction. The granting of a variance is not approval of a plat or building permit.

HOW MUCH DOES A VARIANCE REQUEST COST?

A fee of $100.00 for signs and $50.00 for all other variance requests must be paid at the time the application is submitted and is non-refundable even if the application is denied.
APPLICATION TO BOARD OF ADJUSTMENT

PROPERTY INFORMATION:
Address: ____________________________________________________________________________________________
Lot ________  Block ________  Subdivision _____________________________  Current Zoning: ___________________________
Lot Width: _______________  Lot Depth: _______________  Total SF of Lot: _______________
Is this property located on a corner lot?  □ Yes  □ No  Is this property located in a historic district?  □ Yes  □ No

OWNER INFORMATION:
Owner's Name: _______________________________________________________________________________________
Owner's Address: __________________________________________________  Phone: _____________________________

IF APPLICABLE: Owner hereby gives ____________________________________________ permission to seek the variance
or appeal stated herein and to represent him/her at the meeting of the Board of Adjustment.

I hereby certify that the above statements are true and correct to the best of my knowledge.

____________________________________________
Owner's Signature

STATE OF TEXAS
COUNTY OF __________________
Subscribed and sworn to before me this ______ day of ________________________, 20________
(seal)
Notary Public
My Commission expires: __________________________

IF DIFFERENT FROM ABOVE, APPLICANT INFORMATION:
Applicant's Name: _______________________________________________________________________________________
Applicant's Address: __________________________________________________  Phone: _____________________________

ACTION REQUESTED:
□ Seeking an appeal from Zoning Ordinance No. 1710, Section ____________________________
□ Seeking a permit for the reconstruction, extension, or enlargement of a building occupied by a nonconforming use.
□ Seeking a variance as follows:

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HARDSHIP FINDINGS

IN ORDER TO MAKE A FINDING OF HARDSHIP AND TO GRANT A VARIANCE, THE BOARD OF ADJUSTMENT MUST DETERMINE THAT ALL OF THE FOLLOWING CONDITIONS ARE MET. STATE HOW YOUR REQUEST MEETS THESE CONDITIONS. PLEASE NOTE THAT THE STATED HARDSHIP MAY NOT BE FINANCIAL OR SELF-CREATED.

1. The request for variance is in harmony with the general purposes and intent of Zoning Ordinance No. 1710, as amended, and continues to protect surrounding properties from any negative impacts because:
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________

2. If the request is to permit the reconstruction, extension, or enlargement of a building occupied by a nonconforming use, such reconstruction will not prevent the return of such property to a conforming use. because:
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________

3. The special or unique condition(s) of restricted area, shape, topography, or physical features that exist on the subject parcel of land, which are not applicable to other parcels of land in the same zoning district, and which cause unusual and practical difficulty or unnecessary hardship in compliance with the provisions sought here to be varied are:
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________

4. The hardship sought to be avoided is NOT the result of (a) the applicant’s own actions (self-imposed or self-created) and (b) economic or financial hardship because:
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________

5. The provisions of Zoning Ordinance No. 1710, and its amendments, that are sought to be varied deprive the applicant of the following rights to use his property that are commonly enjoyed by other properties in the same zoning district which comply with these ordinance provisions:
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________
____________________________________________________________________________________________________

REQUIRED SUBMITTALS:
☐ Completed application
☐ Owner permission, if applicable
☐ Application Fee
☐ Site Plan or Survey drawn to scale

NOTICE TO APPLICANT:
I have carefully read the complete application and know the same is true and correct. I hereby agree to comply with all provisions of local, State, and Federal Laws will be complied with, whether herein specified or not. As the owner of the above property or a duly authorized agent as provided herein, I hereby grant permission to enter the premises and make all necessary inspections.

Signed: _________________________________________________ Address: ___________________________________________
Print Name: ______________________________________________ Phone Number: _________________________________
Date: ___________________________________________________ Fax Number: ______________________________________

STATE OF TEXAS

COUNTY OF __________________________

Subscribed and sworn to before me this ________ day of __________________________, 20________
(seal)

Notary Public
My Commission expires: _________________________________