

ZONING VARIANCE APPLICATION CHECKLIST

APPLICANT AND PROJECT INFORMATION

Applicant Name: _____

Applicant Phone / Email: _____

Property Owner (if different): _____

Project Name: _____

Project Location / Legal Description: _____

Travis CAD Property ID(s): _____

Current Zoning District: _____

This checklist identifies the information and documents required for a complete application for a variance from one or more requirements of UDC Article 3, Zoning Regulations. A zoning variance is reviewed by staff and decided by the Zoning Board of Adjustment following a public hearing. Applications that are not accompanied by all documents required by the UDC and prepared in accordance with the UDC will not be accepted for processing.

APPLICATION TYPE

	Type	UDC	Notes
☐	Zoning Variance	§ 3.6.1.B.1; § 3.6.2	Variance from one or more requirements of Article 3

Other requests heard by the Zoning Board of Adjustment are separate applications: appeals of an administrative decision (UDC § 3.6.4), which must be filed within twenty (20) calendar days after the decision, and special exceptions for nonconforming uses and structures (UDC § 3.6.3).

The Board may not grant a variance authorizing a use not permitted in the district, grant or modify a Specific Use Permit, grant a variance to property subject to a pending zoning amendment until the City Council approves the amendment, or grant a variance modifying or waiving procedural requirements of the UDC (UDC § 3.6.5). A variance from a conditional standard under § 3.4.8 is decided by the City Council on a separate application.

SUBMITTAL, FEES, AND DIGITAL STANDARDS

Submittal calendar. New applications are accepted only on the official submittal dates shown on the City's published Development Schedule.

Digital submittal. The City uses MyGovernmentOnline (MGO). Combine documents under the headings shown in this checklist, flatten all PDFs, and name files for easy readability.

Fees. Upon acceptance, the application is converted to a project, a case number is assigned, and fees are assessed in MGO according to the adopted Fee Schedule, including publication and notification fees. All fees must be paid in full (UDC § 1.4.2.C.1). An application is not complete until the required fees have been paid.

Indebtedness. The City will not accept or review for completeness an application from a property owner owing delinquent taxes, assessments, fees, or other debt related to the subject property until the amount is paid or payment arrangements are made (UDC § 1.4.2.D).

ZONING VARIANCE PROCESS

- 1. Pre-Application Meeting (UDC § 1.3).** Before filing, the owner may consult with the Planning Director and other City staff concerning compliance with all applicable ordinances and regulations.
- 2. Submittal and Completeness Review (UDC § 3.5.1.C).** The Responsible Official will not accept an application for processing unless it is accompanied by all documents required by the UDC and prepared in accordance with the UDC. Upon acceptance, a case number is assigned and fees are assessed in MGO. If the application is incomplete, the City will provide written notice specifying the necessary documents or information and the date the application will expire, issued not later than the tenth (10th) business day following the Official Vesting Date. Issuance of a Certificate of Completeness certifies only that the application is administratively complete. It is not a determination that the application complies with the UDC and does not imply that the City will approve the application.
- 3. Expiration of an Incomplete Application (UDC § 3.5.1.D).** An application automatically expires at the close of business on the forty-fifth (45th) calendar day after the Official Vesting Date if the applicant fails to provide the documents or information specified in the City's written notice. The expiration date runs from the Official Vesting Date, not from the date of the deficiency notice. After expiration, a new application and new fees are required.
- 4. Staff Review.** Staff reviews the application and prepares a report to the Zoning Board of Adjustment. Resubmittals or new information submitted after property owner notification will not be included in the agenda packet for the Board's consideration.
- 5. Public Notice (UDC § 3.6.2.A.1; § 1.4.3).** No variance may be granted without public notice and a public hearing.
 - a. Mailed notice to all owners of real property within two hundred (200) feet of the subject property not fewer than eleven (11) calendar days before the Board hearing.
 - b. Published notice in a newspaper of general circulation not fewer than eleven (11) calendar days before the Board hearing.
 - c. Posted notice sign on the property no later than eleven (11) calendar days before the hearing, one on each frontage.
- 6. Board Public Hearing and Decision (UDC § 3.6.2).** The Board may grant a variance only if it finds, based upon evidence, that each of the conditions in § 3.6.2.A.1 and each of the findings of undue hardship in § 3.6.2.B.1 have been met. A variance may not be granted to relieve a self-created or personal hardship, may not be based solely on economic gain or loss, and may not allow a use not otherwise permitted in the district or increase residential density. The applicant bears the burden of proof. The Board may impose conditions, limitations, and safeguards, and violation of any condition is a violation of the UDC.
- 7. Finality (UDC § 3.6.2.C).** The decision of the Board is final, subject to judicial review as provided in UDC § 3.6.2.C.

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REQUIRED ITEMS FOR A COMPLETE APPLICATION

Required Item	UDC Citation
A. Application Information	
☐ Signed application form and signed copy of this checklist	§ 3.5.1.C; § 1.4.2.B
☐ Deed showing current ownership	Checklist
☐ Ownership Verification and Agent Authorization form executed by all persons or entities with an ownership interest	§ 1.4.2.A.2(ii); Checklist
☐ Current title commitment (dated within one year), title opinion letter, or other Proof of Ownership. If the title commitment is older than one year, submit a property report and nothing further certificate.	Checklist
☐ Original tax certificate showing no taxes due, and evidence of payment of any other indebtedness to the City related to the property	§ 1.4.2.D
☐ Written consent to the application from each lienholder on the property (if applicable)	Checklist
☐ Covenants and deed restrictions, newly applicable and previously recorded	Checklist
☐ Survey (boundary survey or plat, including metes and bounds, sealed by a licensed surveyor)	Checklist
B. Variance Request Narrative	
☐ Identification of each UDC section from which a variance is requested, the current requirement, and the specific relief requested (e.g., required setback and proposed setback)	§ 3.6.1.B.1
☐ Conditions required for variance. Separately address each: (i) special circumstances or conditions affecting the land such that strict application of Article 3 would deprive the applicant of reasonable use of the land; (ii) the variance is necessary to preserve and enjoy a substantial property right; (iii) the variance will not be detrimental to public health, safety, or welfare, or injurious to other property in the area; and (iv) the variance will not prevent the orderly use of other land in the area	§ 3.6.2.A.1(i)–(iv)
☐ Findings of undue hardship. Separately address each: (i) literal enforcement will create an unnecessary hardship or practical difficulty in developing the property; (ii) the situation causing the hardship is neither self-imposed nor generally affecting all or most properties in the same district; (iii) the relief will not injure the permitted use of adjacent conforming property; and (iv) the variance will be in harmony with the spirit and purpose of the regulations	§ 3.6.2.B.1(i)–(iv)
☐ Statement that the hardship is not self-created or personal, is not based solely on economic gain or loss, and that the variance will not allow a use not permitted in the district or increase residential density	§ 3.6.2.B.2
☐ If the request concerns an existing structure: any of the grounds the Board may consider, with supporting documentation (cost of compliance exceeding 50 percent of the structure's appraised value; loss of at least 25 percent of the developable area of the lot; conflict with another ordinance or code; unreasonable encroachment on adjacent property or an easement; or nonconforming status)	§ 3.6.2.B.3
C. Exhibits	
☐ Site plan, survey, or drawing showing the location and dimensions of the requested variance	Checklist
☐ Photographs, maps, or other visual materials illustrating the circumstances necessitating the variance	Checklist
☐ Any other supporting documentation or research	Checklist
D. Fees and Digital Standards	
☐ Application fees paid in full per the adopted Fee Schedule, assessed in MGO upon acceptance	§ 1.4.2.C.1
☐ PDF flattening, file naming, and document grouping in accordance with the MGO submittal standards and the headings of this checklist	Checklist

The applicant bears the burden of proof in establishing the facts that may justify a variance (UDC § 3.6.2.B.4). Items marked "Checklist" are administrative submittal requirements adopted by the Planning Director under UDC § 1.4.2.B.

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CERTIFICATION OF APPLICATION CHECKLIST

I hereby attest that I prepared this application and checklist and that all information shown hereon is correct and complete to the best of my knowledge. I acknowledge that an incomplete application will expire at the close of business on the forty-fifth (45th) calendar day after the application's Official Vesting Date if the deficiencies identified in the City's written notice are not addressed by that date.

Signature

Name (printed)

Title

Date