



CITY OF CLEBURNE
ZONING BOARD OF ADJUSTMENT
VARIANCE APPLICATION

P.O. Box 677
Cleburne, TX 76033
Phone: (817) 645-0900

ZBA CASE NO. \_\_\_\_\_

FILING FEE: \$400.00

Location of the Property: (address/legal description)

Two horizontal lines for property location information.

Table with 2 columns: Owner, Applicant (if different than owner); Address; Telephone; Email\*.

\*Email should only be provided if you consent to your email address becoming a part of public record.

VARIANCE APPLICATION

State the SPECIFIC PROVISION of the zoning ordinance for which you are requesting a variance. (You may give the Section number and paragraph, OR you may DESCRIBE the regulation/requirement.)

Four horizontal lines for providing the specific provision of the zoning ordinance.

Describe SPECIFICALLY the variance you are seeking:

Five horizontal lines for describing the variance.



Additionally, in order for the Board members to vote in support of your application, it must be shown that the SPECIAL CONDITIONS which you have described are NOT the result of your own actions (See *City of Dallas v. Vanesko*, 189 S.W.3d 769 (Tex. 2006)).

Explain how the SPECIAL CONDITIONS affecting your property came to be, AND how they ARE NOT the result of YOUR OWN ACTIONS:

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Furthermore, you must demonstrate that the variance you are seeking will permit you to enjoy the same rights with respect to the use of your property that are presently enjoyed by other properties in the same vicinity or zone as your property. (See § 155.17(D)(3)(b), City Code of Ordinances)

Explain how the City's ordinance requirement(s) prevent you from enjoying a right to use your property that is presently enjoyed by other properties in the same vicinity or zone as your property:

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Additionally, you must demonstrate that the granting of a variance will not adversely affect the land use pattern as outline in the City's land use plan and will not affect any other feature of the City's comprehensive use plan. (See § 155.17(D)(3)(c), City Code of Ordinances)

Explain how your request for a variance will not adversely affect the City's land use pattern or any other feature of the City's comprehensive use plan:

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Finally, you must demonstrate that the granting of the variance will not be a material detriment to the public welfare or injure the use, enjoyment or value of the properties in the vicinity of your property. (See § 155.17(D)(3)(d), City Code of Ordinances)

Explain how the granting of a variance will not be injurious to the public welfare or to the use, enjoyment or value of the properties in the vicinity of your property:

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Signature of Owner or Authorized Agent: \_\_\_\_\_ Date: \_\_\_\_\_

**YOUR RIGHT TO APPEAL THE BOARD'S DECISION.**

Pursuant to Texas Local Government Code § 211.011:

Any of the following persons may present to a court of record a verified petition stating that the decision of the board of adjustment is illegal in whole or in part and specifying the grounds of the illegality: (1) a person aggrieved by a decision of the board; (2) a taxpayer; or (3) an officer, department, board, or bureau of the municipality.

The petition must be presented within ten days after the date the written decision of the Board is filed in the Board's office.

# PROPERTY OWNER ACKNOWLEDGEMENTS

Notarized signature of *all* owners is mandatory.

*Use additional sheets if necessary.*

**Property Ownership Acknowledgement:** As owner of the property described in this application, I understand that my property is being considered for a Variance.

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner's Name (Typed or Printed) \_\_\_\_\_

**Notary Acknowledgement:** Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the above and foregoing instrument, and knowledge to me that he/she executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public In and For Texas

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

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## Agent Authorization (if applicable)

**Agent Authorization:** I, \_\_\_\_\_, owner of the aforementioned property do hereby certify that I have given my permission to \_\_\_\_\_ to act as my agent for this variance request.

Signature of Owner \_\_\_\_\_ Date \_\_\_\_\_

Owner's Name (Typed or Printed) \_\_\_\_\_

**Notary Acknowledgement:** Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the above and foregoing instrument, and knowledge to me that he/she executed the same for the purposes and consideration expressed and in the capacity therein stated.

Given under my hand and seal of office on this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public In and For Texas

My commission expires the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.