



# VARIANCE APPLICATION CHECKLIST

## APPLICANT AND PROJECT INFO

Applicant Name: \_\_\_\_\_  
Applicant Phone #: \_\_\_\_\_  
Project Name: \_\_\_\_\_  
Project Location: \_\_\_\_\_

This checklist is intended to provide information and data needed to constitute a complete application. A request for a variance requires review by staff and approval by the City Council. In accordance with UDC Article 3 Zoning Regulations. Incomplete applications will not be accepted.

## MY GOVERNMENT ONLINE SUBMISSION REQUIREMENTS

The City of Bee Cave utilizes a digital review system called MyGovernmentOnline, which requires certain digital submittal standards. For more detailed information and troubleshooting, please review the separate MyGovernmentOnline User Guide available at <http://www.MyGovernmentOnline.org/>

## APPLICATION FEES

All application fees shall be paid in full according to the adopted Fee Schedule. The adopted Fee Schedule is available on the City Website: <http://www.BeeCaveTexas.gov/>

## ZONING VARIANCE PROCESS

The process for applying for a zoning variance involves the following steps:

1. **Pre-Application Conference.** Prior to filing of a variance, the owner may consult with the Planning Director, and other City staff concerning compliance with all applicable ordinances and regulations.
2. **Submittal of Application and Completeness Check.** The applicant will provide all required documents and fees along with the signed application and applicable checklist for a completeness check. Staff will review the documents for completeness of items listed on the checklists and provide feedback about any additional information or documents required from the applicant. Staff will perform a completeness check within 10 business days. **If the application is deemed incomplete, the applicant will have 45 calendar days to resubmit the incomplete items, or the application will expire.**
3. **Filing Date.** Upon determination of application completeness, the application will be considered filed with the Planning and Development Department. The application will be distributed to all applicable staff members for review.



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4. **Review.** City Staff will review the application for compliance with the UDC and other city requirements and provide comments. The applicant may need to make changes and revisions to the application or supporting materials. After staff comments are resolved, staff will compile a staff report to be submitted to the City Council for review, post the item on the next regularly scheduled meeting of the City Council and provide required public notice. **New information submitted after property owner notification will not be included in the agenda packets for the City Council's consideration.**
5. **Public Notice.** Written notice of public hearing before the City Council shall be sent to all owners of real property within two hundred (200) feet of the subject property requesting the variance not fewer than eleven (11) calendar days before the date of the public hearing. Notice of the time and place of the hearing for an application will also be published in a newspaper of general circulation not fewer than eleven (11) calendar days before the date of the hearing.
6. **Action.** Variances to § UDC-3.4.8B.2 require City Council approval.

### REQUIRED ITEMS FOR SUBMITTAL OF A COMPLETE APPLICATION

The following is grouped into the electronic documents that will be required for submittal. The list below each document heading shows the individual items that are to be combined to form the PDF document. Please review the Detailed Information section of this form for help in preparing each of these items. Please, flatten all PDF before submittal and rename documents for easy readability.

- Application Information**
  - Deed showing current ownership
  - Notarized Verification of Land Ownership Form
  - Authorization Agent Designation Form (if applicant different than owner)
  - Written consent to the variance application from each lienholder of the subject property (if applicable)
  - Current Title Commitments
  - Original Tax Certificate issues by Travis Central Appraisal District and showing no taxes due
  - Covenants, Deed Restrictions (newly applicable and previously recorded)
  - Survey (boundary survey or plat, including metes and bounds, sealed by a licensed surveyor)
- Variance Request**
  - Project Summary that identifies the section of Code from which you are requesting a variance, describes the basic components of the request, and separately addresses each of the following items:



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- Show that enforcing the regulation in this instance is not in the best interest of the public.
  - Prove that enforcement would result in waste or inefficient use of land or other resources.
  - Establish that the regulation imposes an undue hardship on the applicant for a license or permit.
  - Demonstrate that the regulation does not serve its intended purpose in this case.
  - Show that the regulation is not effective or necessary in this instance.
  - Provide evidence that granting the variance is in the best interest of the community, considering the health, safety, and welfare of the public and the equities of the situation.
- Any visual description of the circumstances necessitating the variance (i.e., Photos, Maps, Plans)
  - Any other relevant supporting documents or research

**NOTE: The applicant bears the burden of proof in establishing the facts that may justify a variance**

- Fees (located on the Fee Schedule)