



Zoning Board of Adjustment

Variance Application

ZBA

City of Borger Department of Planning & Development
 600 N. Main Street, Borger, TX 79007
 Phone: (806) 273-0908 · Fax: (806) 273-0911
 www.borgertx.gov

Article 14.07 of the Borger Code of Ordinances establishes a Zoning Board of Adjustment which, upon appeal to the Board, grant special exceptions/variance which are required for any deviation from the City of Borger Zoning Ordinance as outlined in Chapter 14 of the City of Borger Code of Ordinances.

Project Details

Property Information			
Subdivision Name:			Unit #:
Legal Description:			
Ownership (Deed Vol./Page, etc.):			
Land Use:	Present Use: <input type="checkbox"/> Conforming <input type="checkbox"/> Non-Conforming	Present Building: <input type="checkbox"/> Conforming <input type="checkbox"/> Non-Conforming	Existing Zoning:
Property Tax I.D. #:			

Property Owner(s)			
Business Name (if applicable):			
Name:		Cell Phone:	
Mailing Address:	City:	State:	Zip:
Email Address:			

➤ Agent/Representative <i>(If Applicable)</i>			
Business Name (if applicable):			
Name:		Cell Phone:	
Mailing Address:	City:	State:	Zip:
Email Address:			

Process

- Upon receipt of this form, the request will be scheduled for the next available Zoning Board of Adjustment (ZBA) meeting date.
- The Planning & Development Department will public notice of the public hearing in the Borger News Herald and at City Hall in compliance with legal requirements. Additionally, the City will send notice of the public hearing to all property owners within 200 feet of the subject property where the variance is being requested.
- The ZBA meeting will be held in the City Council Chamber at City Hall (600 N. Main). At the meeting, the ZBA will conduct the public hearing and provide a ruling on the variance request.
- In order for the ZBA to approve a variance, it must find all of the following criteria have been met:
 - Granting the variance will not be contrary to the public interest.
 - Enforcing the code provisions will result in an unnecessary hardship due to the following situations that are unique to the property: irregularity associated with the size or shape of the lot, unique topography or some other unique physical situation associated with the property. An unnecessary hardship **DOES NOT** relate to the convenience, financial consideration, or the applicant's own actions.
 - Granting the variance will be consistent with the spirit of the City's Zoning Ordinance.
- If the ZBA approves the variance, then the applicant will have 90 days from the date of the meeting to obtain any necessary building permits for construction.
- If the ZBA denies the request, then the applicant may file a petition with the appropriate court of competent jurisdiction.

Variance Request

Requested Variances

List the regulations requested for variance.

Use the following sections to thoroughly explain why the variance is needed. You may also submit this information by attaching a separate letter addressing each of the below questions.

Explain how the variance is not a self-created hardship.

Explain the unique circumstances existing on the property, such as area, shape or slope; that the unique circumstances not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the property.

Describe how the variance is necessary for the preservation and enjoyment of a substantial property right of the property owner.

Describe how the granting of this variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area, or to the City in administering subdivision regulations.

Explain how the variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.

Owner Signature

I will represent myself; or

I hereby designated the person listed in the Agent/Representative section of this application to act in the capacity as my agent for filing, processing, representation and/or presentation of this application. The agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

I HEREBY CERTIFY THAT I am the owner of the property and further certify that the information provided on this application is true and correct. By signing below, I agree that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. I understand that no new application may be filed for hearing within 24 months of a Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant a Board waiver of the 24-month mandatory re-application delay period.

Owner Signature:

Date

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