



## VARIANCE REVIEW PROCESS & APPLICATION PACKET

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### Why Do I Need A Variance?

A Variance allows a deviation in the City's land use rules (zoning) to meet a special need. While these rules are intended to promote such things as quality of life, increased property values and the safety of residents, it is sometimes possible to deviate from these rules through the variance process.

### The Variance Application & Review Process Is As Follows:

**Step 1:** Consult with staff to determine the need and appropriateness of a variance. Application must demonstrate hardship (a need for a change).



**Step 2:** Submit variance application, supporting documentation, and the \$200 filing fee.



**Step 3:** Applicants and nearby property owners will receive notification by mail of the proposed variance and the date of a public hearing. Public notice will also be posted in the local newspaper.



**Step 4:** A public hearing will be held with the Zoning Board of Adjustments and Appeals. This meeting will be scheduled when the application review process is complete. The meeting will be held in Council Chambers at City Hall, located at 300 W. Main St., Denison, TX.



**If Variance is Approved:** Obtain a building permit.

**If Variance is NOT Approved:** Please meet with staff to discuss other options.



For Office Use On

Project # \_\_\_\_\_

## Variance Request Checklist

**\*\*Submittals will not be reviewed until all items are received\*\***

### **Revised 10/2024**

The following items are required for a Variance Application to be considered administratively complete. Once all documents have been received, you will receive comments back within 10 business days of your submittal.

After all comments have been addressed and revisions made, the request will be placed on the agenda of the next available Zoning Board of Adjustments & Appeals (ZBA) meeting for consideration. ZBA is the final authority on a Variance request, and only a court of record may hear an appeal of a decision of ZBA.

#### Plan Format & General Standards: (Check if provided; indicate N/A if not applicable)

- Completed Application Form
- Application Fee (\$200)
- Legal description of property
- Tax Receipt showing current paid taxes
- Completed variance questionnaire

#### Important Resources

- Planning & Zoning Webpage: [Planning Department](#)
- Comprehensive Plan: [Full Plan](#) | [Future Land Use Plan](#)
- Subdivision Ordinance: [Chapter 22](#)
- Zoning Ordinance: [Chapter 28](#)

**City of Denison  
Application to Appeal to the  
Zoning Board of Adjustments**



300 W. Main Street, PO Box 347  
Denison, TX 75020  
[Planning@denisontx.gov](mailto:Planning@denisontx.gov)  
903-465-2720

Revision Date: 10/2024

Parcel/Property ID #: \_\_\_\_\_

Name of Applicant: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Engineer/Surveyor/Land Planner: \_\_\_\_\_ Email: \_\_\_\_\_

Location of Property: \_\_\_\_\_

Area of Subdivision: \_\_\_\_\_ Acres \_\_\_\_\_ Lots

Does the proposed subdivision require the vacation or relocation of existing streets, alleys, or easements?

YES  NO

If yes, has application to secure approval of such abandonment or relocation been made?

Purpose of Appeal (example: change setbacks): \_\_\_\_\_

**TYPE OF SUBDIVISION**

<input type="checkbox"/> Resubdivision of existing (lot(s))	<input type="checkbox"/> Public/Institutional
<input type="checkbox"/> Industrial	<input type="checkbox"/> Original Subdivision or Acreage
<input type="checkbox"/> Correcting error or omission	<input type="checkbox"/> Commercial/Retail
<input type="checkbox"/> Residential lot(s)	<input type="checkbox"/> Platting of streets or alleys

**IMPROVEMENT PROPOSED**

<b><u>Water Supply</u></b>	<input type="checkbox"/> City of Denison	<b><u>Sanitation Facilities</u></b>	<input type="checkbox"/> City of Denison Sewer
	<input type="checkbox"/> Well		<input type="checkbox"/> Septic System
<b><u>Type of Street Surfacing</u></b>	<input type="checkbox"/> Independent Water District	<b><u>Type Storm Drainage</u></b>	<input type="checkbox"/> Independent Disposal
	<input type="checkbox"/> Other _____		<input type="checkbox"/> Other _____
<b><u>Type of Street Surfacing</u></b>	<input type="checkbox"/> City of Denison Standards	<b><u>Type Storm Drainage</u></b>	<input type="checkbox"/> Curb & Gutter
	<input type="checkbox"/> Existing Paved Street		<input type="checkbox"/> Storm Sewers
<input type="checkbox"/> Other _____		<input type="checkbox"/> Improved Open Channels	<input type="checkbox"/> Other _____

In submitting this application for approval of the above-described subdivision, I understand that if said subdivision is within the corporate limits or within the extra territorial jurisdiction of the City of Denison, that all improvements installed shall be a conformance with the standards and requirements of the City of Denison.

Property Owner's Signature \_\_\_\_\_

Date \_\_\_\_\_

Property Owner's Printed Name \_\_\_\_\_

*An application is not deemed filed pursuant to Texas Local Government Code Chapters 212 and 232 until all prerequisite authorizations and all documents required by and prepared in accordance with the requirements of the DMC Chapter 22 subdivision regulations are complete.*

**OFFICIAL USE ONLY**

Received Date: \_\_\_\_\_ Received By: \_\_\_\_\_

Case No: \_\_\_\_\_ ZBA Hearing: \_\_\_\_\_



**City of Denison**

**Developer Acknowledgement Form**

I, \_\_\_\_\_, am aware and agree that I am solely responsible for all development costs related to this project, including but not limited to fees and costs related to site development and construction, plan review, construction inspections and testing, improvements necessary to offset impacts from my development, contribution to master plans, impact fees, and any other costs and/or fees related to my development and the impact to existing neighborhoods and infrastructure in the City and the Extra Territorial Jurisdiction (ETJ).

\_\_\_\_\_  
**Owner/Project Representative  
Printed Name**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Signature**

### Zoning Variance Questionnaire

Please complete this questionnaire and return with a completed application.

State the request:

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In order to make a finding of hardship and to grant a variance, the Zoning Board of Adjustments & Appeals must determine that all of the following conditions are met. State how your request meets these conditions. **Please note that the stated hardship shall not be financial nor self-induced.**

1. State the undue hardship that exists:

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2. The requested variance is in harmony with the spirit and purpose of the Zoning Ordinance:

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3. Special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land:

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4. The hardship is not self-created or personal in nature:

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5. The hardship is not financial or economic in nature:

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6. The requested variance is necessary for the preservation and enjoyment of a substantial property right of the applicant:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Granting the request will not be detrimental to the public health, safety, or wellbeing, nor injurious to other property in the area:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. The situation causing the hardship does not generally affect all or most properties in the same zoning district as the subject:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Will the denial of this request cause a substantial burden on religious activities of the property owner / user?       Yes                       No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_