



Variance Request Application

City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316
(936) 597-6434

Upon completion return application to dmccorquodale@ci.montgomery.tx.us

Contact Information

Property Owner(s): _____

Address: _____ Zip Code: _____

Email Address: _____ Phone: _____

Applicants: _____

Address: _____

Email Address: _____ Phone: _____

Parcel Information

Property Identification Number (MCAD R#): _____

Legal Description: _____

Street Address or Location: _____

Acreage: _____ Present Zoning: _____ Present Land Use: _____

Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: _____ Section(s): _____

Ordinance wording as stated in Section (): _____

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:

| |
|-------------------|
| Signatures |
|-------------------|

Owner(s) of record for the above described parcel:

Signature: _____ Date: _____

Signature: _____ Date: _____

Signature: _____ Date: _____

Note: Signatures are required for all owners of record for the property proposed for variance. Attach additional signatures on a separate sheet of paper.

Additional Information

The following information must also be submitted:

☐ Cover letter on company letterhead stating what is being asked. ☐

A site plan.

☐ All applicable fees and payments. **All fees paid by credit card are subject to a 5% merchant fee.**

☐ The application from must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the variance request shall be submitted.

| | |
|--------------------------|--|
| <div>Date Received</div> | |
|--------------------------|--|

Office Use

Public Hearings

Parties in interest and citizens shall have an opportunity to be heard at public hearings conducted by the Planning and Zoning Commission and the City Council before any variance to a district regulation, restriction, or boundary shall become effective. Regularly scheduled meetings are as follows and will be held accordingly unless public notice has been given of a change of dates:

Planning and Zoning Commission: **1st Tuesday of every month at 6:00 p.m.**

City Council: **2nd and 4th Tuesday of every month at 6:00 p.m.**

Finding of Undue Hardship

In order to grant a variance, the Board must make the following findings to determine that an undue hardship exists:

1. That literal enforcement of the controls will create an unnecessary hardship or practical difficulty in the development of the affected property; and
2. That the situation causing the hardship or difficulty is neither self-imposed nor generally affecting all or most properties in the same zoning district; and
3. That the relief sought will not injure the permitted use of adjacent conforming property; and
4. That the granting of a variance will be in harmony with the spirit and purpose of these regulations.
5. Financial hardship alone is not an “undue hardship” if the property can be used, meeting the requirements of the zoning district it is located in.

Factors not Considered

A variance shall not:

1. Be granted to relieve a self-created or personal hardship,
2. Be based solely upon economic gain or loss,
3. Permit or allow any person a privilege or advantage in developing a parcel of land not permitted or allowed by these Regulations to other parcels of land in the same particular zoning district,
4. Result in undue hardship upon another parcel of land.