

Zoning & Variance Application

CITY OF GONZALES



COME AND TAKE IT

Zoning & Variance Application

PLANNING & DEVELOPMENT SERVICES

The City Secretary/Zoning Administrator serves as an information resource and as the point for coordinating development functions for the public and other City departments.

Land development works best when the property owner and staff communicate openly about the nature of the proposal and the regulations that affect it. To provide you with the best service possible, we highly recommend that you take the time to meet with staff in advance of submitting your application. Please call 830.672.2815 to make an appointment with one of our staff members.

DOCUMENTS & MAPS

Reports, Plans, Ordinances, Maps, and other documents are often available on the City's website (www.gonzales.texas.gov) at no charge. Copies of these will be provided at the reproduction cost, currently 10 cents per page for black and white copies. In addition, any other actual materials costs will be assessed.

SUBMITTAL INFORMATION

- INCOMPLETE APPLICATIONS AND SUBMITTALS WILL BE REJECTED or will be returned; an application may be deemed incomplete after initial staff review.
- Prior to submittal, we strongly recommend setting up and attending a pre-submittal meeting.
- Please refer to the Code of Ordinances for questions or concerns in respect to site development and development standards.
- Plans for Specific Use, Special Exceptions, Rezoning, Variance and Planned Development District Amendment shall be on 8.5" x 11" paper with four (4) copies.
- Site plans or conceptual site plans, except Engineering Construction Sets, shall be 24" x 36" and folded, with six (6) hard copies. If applicable, please provide survey plat of property.
- PDF copies can be emailed to citysecretary@gonzales.texas.gov.
- If a case is withdrawn or delayed at the request of the applicant after notifications have been sent and/or public notice has been posted, the applicant will be responsible for the cost of re-notifications and re-posting of notice.

All other questions may be directed to the following:

City Secretary
820 St. Joseph Street
830.672.2815
citysecretary@gonzales.texas.gov

Zoning & Variance Application

Fee Schedule

Filing/Application Fees

Board of Adjustment & Sign Control Board	\$ 300.00
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Zoning

Zone Change Request/Specific Use	\$ 300.00
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Planned Development District	\$ 300.00
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Planned Development District, Amendment	\$ 300.00
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Zoning Determination/Verification Letter	\$ 0.00
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Misc. Zoning-related Application	\$ 300.00
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PLANNING & ZONING COMMISSION

The members of the Planning & Zoning Commission (also referred to as the Commission) are appointed by the City Council. In making appointments to the Commission, the City Council shall seek to ensure broad representation and expertise among the membership.

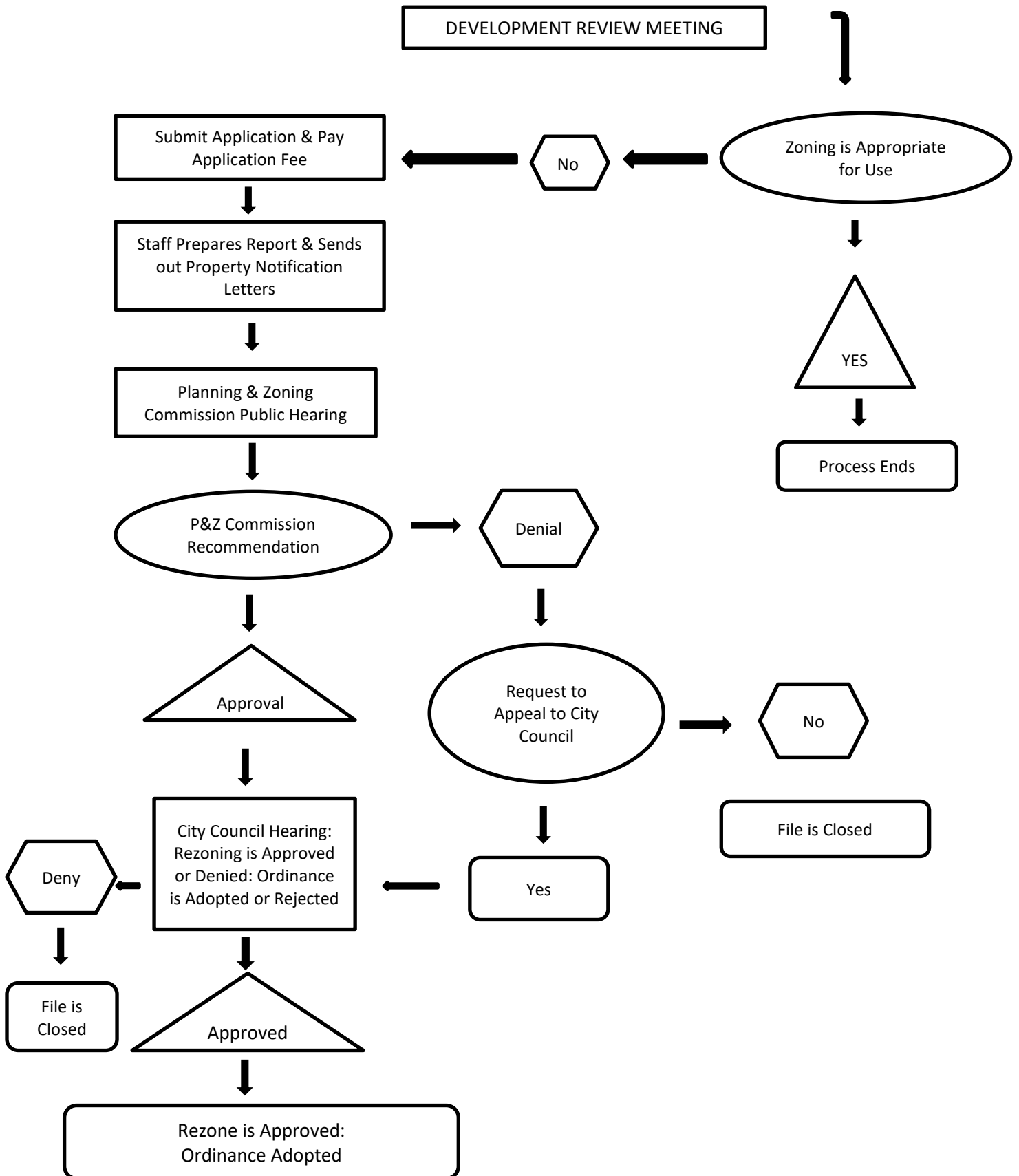
According to the City of Gonzales, Code of Ordinances; Section 14.1103(c) Authority. The Commission shall have the following powers and duties:

1. Review application for zoning changes, hear public comments, and make recommendations to the council regarding such applications;
2. Review proposed preliminary subdivision plats, engineering plans, requested plat and plan variances, and proposed restrictive covenants and make recommendations to the Council pertaining to each;
3. Review proposed plats and plans for mobile home parks and for such other developments as may be required by ordinance and make recommendations to the Council pertaining to such;
4. Recommend to the Council amendments, extensions, and additions to the comprehensive master plan of the city, including the land use plan and the thoroughfare plan;
5. Recommend to the Council changes to the official zoning map of the city;
6. When appropriate, make a determination of appropriate zoning or use;
7. Perform such other duties as may be duly delegated to them from time to time by the Council.

The City Council shall hear appeals from applicants concerning actions by the Commission, hear public comments, and grant, grant with modification, or deny such appeals as in accordance with Section 14.1104 subsection (a)(7) of the Code of Ordinances.

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ZONING ● SPECIFIC USE ● PDD APPLICATION ● PDD AMENDMENT
FLOWCHART



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ZONING IMPACT ANALYSIS

Please answer these questions in order to assist Staff with the processing of your Zoning request.

- 1 Does the proposed zoning map amendment implement the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land Use and Development Plan map, as amended?

- 2 Are the uses permitted by the proposed change in zoning district classification and the standards applicable to such uses appropriate in the immediate area of the land to be reclassified?

- 3 Is the proposed change in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area?

- 4 Are there other factors which will substantially affect the public health, safety, morals, or general welfare?

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BOARD OF ADJUSTMENTS & SIGN CONTROL BOARD

The Board of Adjustment is organized to have all the powers and authority as set forth in the Code of Ordinances of the City of Gonzales, Texas, and as authorized by Chapter 211 of the Texas Local Government Code.

The Board of Adjustment has authority of applications to decide the following types of applications:

Special exceptions may be granted only in the following instances:

1. To permit the temporary enlargement of a nonconforming use, but only when the enlargement will not prolong the life of the nonconforming use. A specific time limit for return to original nonconformity may be required;
2. To grant temporary specific use permits for a period of not more than one-year periods for any use of land and/or structure;
3. To permit the use of a tract or tracts in any dwelling district adjacent to any other district, even if separated therefrom by an alley or a street, for the parking of passenger vehicles under such safeguards and conditions of the more restricted property, provided that no other use is made of such tract or tracts;
4. To permit such modifications of yard, lot area, or lot width requirements as may be necessary to secure appropriate improvements upon a tract of land where such tract was separately owned on the effective date of October 26, 1999, and is not adjoining another tract of the same ownership, and where the tract is of such size, shape, or area that it cannot be improved without such modification;
5. To preclude an essentially inadvertent taking of property when the circumstances are such that they have not been caused by any action on the part of the property owner.

Variations may be granted only in the following instances:

1. To vary the applicable lot area, lot width or frontage, and lot depth requirements, provided that such reduction shall not exceed twenty (20) percent of the standard minimum for zoning district within which the tract is located;
 2. To vary the minimum building setback requirements, lot coverage, or maximum permitted building height;
 3. To vary the regulations pertaining to required off-street parking or loading;
 4. To vary the requirements pertaining to the restoration of damaged or destroyed nonconforming structures;
 5. To vary requirements of the building codes when such variance will not cause a hazard to the public health and safety and such variance will not decrease the strength or expected life span of the structure.
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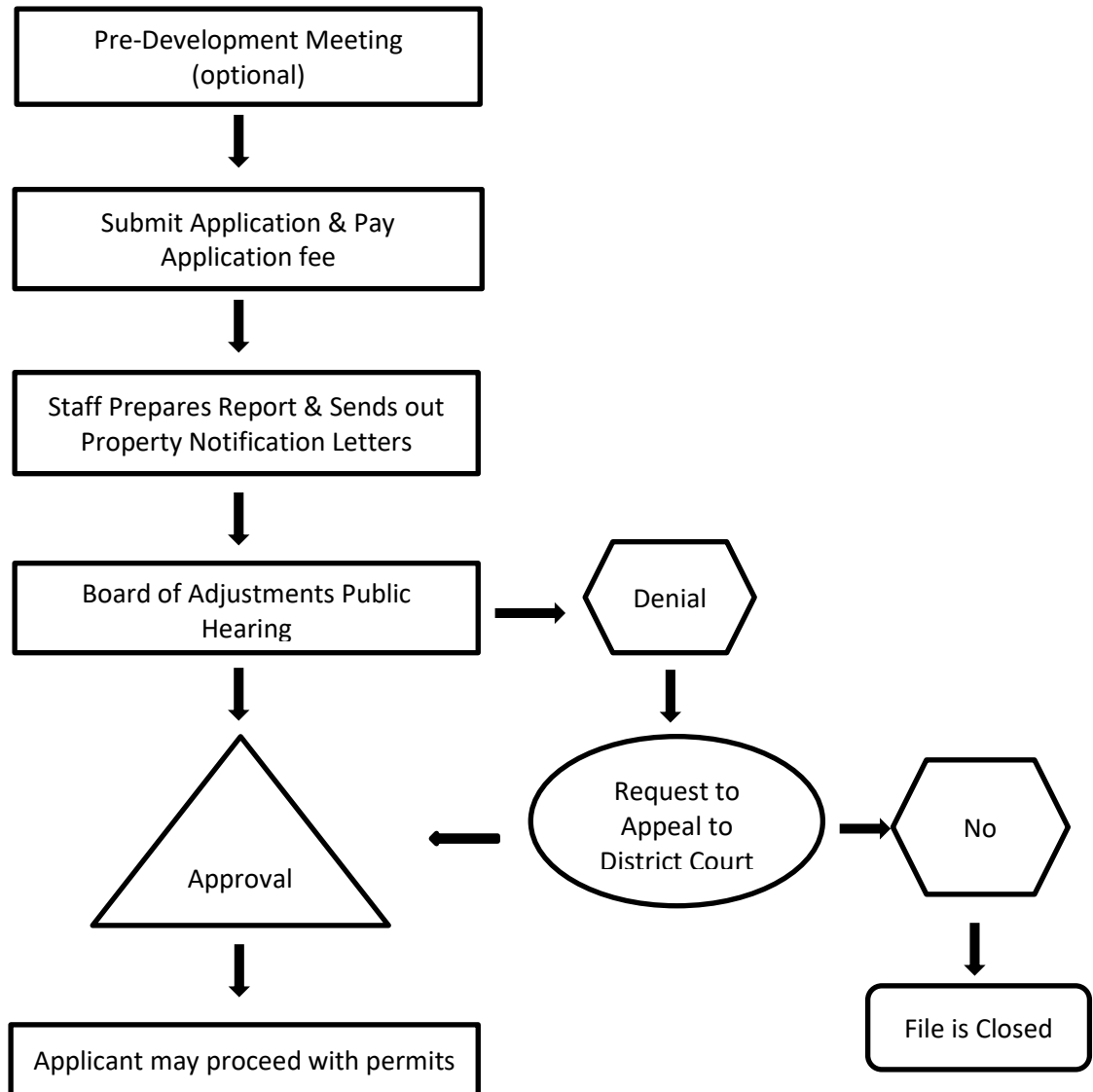
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Sign Control Board

The City Council authorizes the Sign Control Board to sit as a board of appeals in public hearings for purposes of Article 3.800. In considering the requests for variation to requirements of Article 3.800, the

BOA/Sign Control Board shall consider, but not be limited to, the degree of variance, the reasons for variance requested, the location of variance requested, the duration of the requested variance, the effect on public safety, protection of neighborhood property, the degree of hardship or injustice involved, and the effect of the variance on the general plan for signing within the city. The BOA/Sign Control Board shall grant the variance requested, grant a variance of a greater or lesser nature than requested, or deny a variance request.

Special Exception • Variance Flowchart



Zoning & Variance Application

Special Exception • Variance

Please answer these questions in order to assist Staff with the processing of your Special Exception or Variance request. Please use additional sheet(s), if necessary.

- 1 Fully describe the unique circumstances or peculiarities of the land or improvements in question that do not allow the desired use to conform to the provisions in the Ordinance and the intent.

- 2 Are there other locations on the property that could accommodate the use while still complying with the Ordinance and, if so, why have you chosen the proposed location?

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Planning

- Specific Use Special Exceptions Rezoning Variance
 PDD Application PDD Amendment Other _____

Project Name: _____

Address: _____ No. of lots: _____ Acreage: _____

Legal Description: _____

Subdivision Name: _____ Block: _____ Lot: _____

Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: _____

Address: _____

City, State, Zip: _____ Fax: _____

Phone: _____ Email: _____

Agent Name: _____

Address: _____

City, State, Zip: _____ Fax: _____

Phone: _____ Email: _____

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated 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.

Signature Owner: _____ Date: _____

FOR OFFICE USE ONLY

Received: _____ Fee: \$ _____

Receipt

Case No.: _____

Reviewed By:

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RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____ DATE: _____

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THE STATE OF TEXAS)
)
COUNTY OF GONZALES)

Know all men by these presents that the undersigned owner of the real property described on the reverse side hereof, has made, constituted and appointed, and by these presents does make, constitute and appoint, my true and lawful attorney, for me in my name, place and stead, to (1) file an application for a zone change, plat, street closure, alley closure, (appeal to the Board of Adjustment)* concerning such property and (2) appear on my behalf at all necessary meetings of the appropriate board or commission or City Council, as the case may be; and the undersigned further agrees that this power of attorney may be voluntarily revoked only by written revocation filed with the City Secretary/Zoning Administrator for the City of Gonzales, Texas.

Witness my hand this day of _____, 20_____

Notary