

**PETITION FOR VARIANCE**

**Before the Board of Adjustment  
of the  
City of Athens, Texas**

The undersigned, as owner or authorized agent for the owner(s) of the herein described property hereby makes application for a variance from specific regulations of the Zoning Ordinance of the City of Athens, Texas in the name of:

APPLICANT'S NAME \_\_\_\_\_

APPLICANT'S MAILING ADDRESS \_\_\_\_\_

LOCATION OF VARIANCE \_\_\_\_\_

LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ SUBDIVISION \_\_\_\_\_

The above-described property is zoned \_\_\_\_\_

Building Permit Denied: Yes \_\_\_\_\_ No \_\_\_\_\_

**Please attach a copy of the denied Building Permit.  
A permit denial is a prerequisite for applying for a variance.**

Variance Application Fee: \$100.00

Variance Requested (Explain in full): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

OWNER'S TELEPHONE NUMBER \_\_\_\_\_ OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

AGENT'S TELEPHONE NUMBER \_\_\_\_\_ AGENT'S SIGNATURE (When applicable, see Form "D") \_\_\_\_\_ DATE \_\_\_\_\_

AGENT'S ADDRESS \_\_\_\_\_

Official Use Only  
Approved \_\_\_\_\_ Denied \_\_\_\_\_  
Date \_\_\_\_\_

**APPLICANT'S SUPPORT INFORMATION**  
**FOR VARIANCE REQUEST**

**APPLICANT MUST COMPLETE THE FOLLOWING INFORMATION IN SUPPORT OF VARIANCE REQUEST. INCOMPLETE APPLICATIONS ARE SUBJECT TO BEING RETURNED TO APPLICANT.**

- 1. What is the specific hardship involved? *(In order to grant a variance, the Board must make written findings that an undue hardship exists.)***
  
- 2. Was the hardship created beyond the control of the Owner (or previous owners) or is it endemic to the property? Please explain.**
  
- 3. Does this property differ from other property in the same zone and vicinity as to size, shape, topography, location or surroundings? Please explain.**
  
- 4. Can reasonable use be made of this property without the variance? Please explain.**
  
- 5. Does existing zoning deprive this property of privileges currently being enjoyed by your neighbors? Please explain.**
  
- 6. Will the variance impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the likelihood of damage by fire? Please explain.**
  
- 7. Will the variance impair the health, safety, comfort, morale or general welfare of the inhabitants of the City of Athens? Please explain.**
  
- 8. Will the granting of a variance be contrary to the plan of development for the general area? Please explain.**

**Signed:**

\_\_\_\_\_

\_\_\_\_\_ **AGENT**  
(When applicable, see Form "D")

**STATEMENT REGARDING RESTRICTIVE COVENANTS/DEED RESTRICTIONS**

**I have diligently searched all applicable records, and to my best knowledge and belief, there are no restrictive covenants that apply to the property as described in FORM A which would be in conflict with this Variance Request, except as follows:**

**Copy here or attach any restrictive covenant(s) that apply to your request. If there are none, then enter the word "NONE".**

**Signed:**

\_\_\_\_\_, **OWNER**

\_\_\_\_\_, **AGENT**

**(When applicable, See Form "D")**

**Definition:**

- 1. "Restrictive Covenants and/or Deed Restrictions" are legal restrictions on the use of land in a subdivision, and are conditions under which you received title. These restrictions were made by the original developer and can be different for each subdivision. The City of Athens is not legally a part to these conditions, but the owner of any property in the subdivision has the right to file litigation if you violate this contract. Restrictive Covenants/Deed Restrictions are on file at the Henderson County Courthouse and are also contained in the property abstract.**

We, the undersigned, being owners of real property according to this application, do hereby authorize

(PRINT NAME AND ADDRESS) \_\_\_\_\_

\_\_\_\_\_ to act as our Agent in the matter of this variance request. The term "Agent" shall be construed to mean any lessee, developer, option holder or authorized individual who is authorized to act in behalf of the owner(s) of said property. (Form to be signed below by ALL OWNERS of the property subject to the variance.)

**SIGNATURE**

**MAILING ADDRESS**

- |    |       |       |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |
| 4. | _____ | _____ |

(This form is necessary only when the person representing this request does not own all of the property. The person must also sign FORMS "A", "B" and "C" as "Agent".)