



# Subdivision Variance Application Packet

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### Section 101: Pre-Application Meeting.

Before the application packet can be submitted to the City, a pre-application meeting must be set up with the City. This meeting must be attended at minimum by the applicant. Items as listed with the application must be provided at the time of meeting or the meeting may be rescheduled by the City. The purpose of this meeting is to discuss a proposed project in general terms. It is not regarded as an official filing of the application. A short period of time should transpire between the pre-application meeting and the filing of an application. **Any timeframe longer than two (2) weeks between the pre-application meeting and application filing and the City may request another pre-application meeting.**

### Section 102: Application Submission Requirements.

- A. Submittal of appropriate filing fees for the application. **\$500.00 + 115% for any City third-party review, as needed (this will be charged later in the process).**
- B. A copy of all items in the attached Subdivision Variance Checklist for Completeness Review to the satisfaction of the City. All items shall be submitted in electronic format to [planninganddevelopment@ci.elgin.tx.us](mailto:planninganddevelopment@ci.elgin.tx.us).

### Section 103: Completeness Review.

Once items have been submitted to the City, it shall have ten (10) business days to review for completeness. Completeness shall be determined by the City reviewing all items submitted and verifying all applicable items are present. If the City determines it compliant under this review, then it moves to a submittal review. If deemed noncompliant, the applicant will be notified in writing of the reasons for noncompliance. The applicant shall have one (1) opportunity to submit information within six (6) calendar months of the date. Failure to meet the deadline date or address all City issues within the one (1) opportunity shall expire the application. Submittal of the application for a completeness review is not regarded as an official filing of the application.

### Section 104: Submittal Review.

After the application is determined complete then the items will go through a submittal review. This review is conducted by the Development Review Committee (DRC). Submittals shall be as outlined below:

- A. First (1<sup>st</sup>) submittal. The DRC shall review the first (1<sup>st</sup>) submittal within thirty (30) calendar days of the compliant completeness review and submit comments to the applicant in writing by the end of this timeframe.
- B. Response of Applicant. The applicant shall address all individual comments from the DRC by copying each open comment(s) and providing response(s) to each open comment on official letterhead. This shall also include revised documentation showing the comments have been addressed by the applicant.
- C. Second (2<sup>nd</sup>) & third (3<sup>rd</sup>) submittals. The second (2<sup>nd</sup>) and third (3<sup>rd</sup>) submittals, if needed, shall be reviewed by the DRC within thirty (30) calendar days of the applicant's submittal to the City. For these submittals, response shall be required as stated in subsection (B).

- D. Scheduling of public hearing before Planning & Zoning Commission. Upon the closing of all DRC comments or reaching the third (3<sup>rd</sup>) submittal, the Plan will be scheduled for a public hearing before the Planning & Zoning Commission.

**Section 105: Noticing & Hearing Requirements.**

Noticing of the Planning & Zoning Commission meeting shall be in accordance with Section 36-29(h), City Code. Applicants shall receive written notice of the location, date, and time of the Commission public hearing.

**Section 106: Planning & Zoning Commission Consideration.**

In regard to consideration, the Commission has the option to approve, approve with conditions, deny, or continue the item upon concurrence of the applicant. They may prescribe such conditions that it deems necessary or desirable in the public interest. Upon denial, the application expires.

**Section 107: Placement of Variance Note on Future Plans and Plats**

Once a variance has been approved a note providing the code citation and the variance request shall be placed on any future plan or plat.

**Section 108: Appeals.**

An appeals application must be filed with the Department within ten (10) business days from the Commission hearing date. The appeal will be heard by the City Council in a public hearing format. The Council shall affirm or reverse the Commission. The appeal will be heard by the Council within thirty (30) calendar days of filing.



CITY OF ELGIN

SUBDIVISION VARIANCE CHECKLIST FOR COMPLETENESS REVIEW

Subdivision Name: \_\_\_\_\_

NOTE: THE SUBDIVISION VARIANCE WILL NOT BE CONSIDERED COMPLETE OR FILED UNLESS THE FOLLOWING COMPLETENESS REVIEW REQUIREMENTS ARE MET. **IF AN ITEM IS MISSING FROM THE APPLICATION, THE VARIANCE WILL BE REJECTED IN THE COMPLETENESS REVIEW.** THE CHECKLIST MUST BE COMPLETELY FILLED OUT WITH A Y (YES), N (NO) OR N/A (NOT APPLICABLE) IN EACH BLANK. THIS CHECKLIST MUST BE INCLUDED WITH THE INITIAL SUBMITTAL.

\_\_\_\_\_ Completeness review date

\_\_\_\_\_ Submittal date \_\_\_\_\_ (per submittal calendar formal submittal after everything is provided per Completeness review).

\_\_\_\_\_ Planning and Zoning Meeting date (Note: Items will not be placed on the agenda unless approval has been obtained by the City Engineer and the City Development Services Director.) \_\_\_\_\_

**1. APPLICATION REQUIREMENTS**

\_\_\_\_\_ One (1) electronic version of all items on checklist emailed to the City at [planninganddevelopment@ci.elgin.tx.us](mailto:planninganddevelopment@ci.elgin.tx.us). Information to be forwarded onto by City to third parties after receiving it.

\_\_\_\_\_ Copy of the application with all information completely filled out and all applicable signatures.

\_\_\_\_\_ Copy of the pre-application meeting application with signed City staff signatures indicating the meeting has been conducted or documentation from the City the pre-application meeting is not needed for this project. (Should be within a two-week window of submitting application for completeness review or City may request another pre-application meeting during the completeness review comments).

\_\_\_\_\_ Copy of deed showing current ownership. Proof o signatory authority for corporation is required.

\_\_\_\_\_ Copy of owner’s authorization for agent giving the applicant permission to file on behalf of the owner or the signatory authority if it is a corporation. This must be submitted on letterhead.

**ELGIN VACATING PLAT CHECKLIST**

\_\_\_\_\_ A 24" x 36" sized sheets which shall show the plat with the proposed variance request, as applicable.

\_\_\_\_\_ A narrative, along with evidence, indicating how the proposal meets the following findings of fact: 1) That there are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this Ordinance would have a substantial adverse impact on the applicant's reasonable use of his land; 2) That the granting of the variance will not be detrimental to the public interest, health, safety or welfare, or injurious to other property in the area; and 3) That the granting of the variance is in harmony with the general purpose and intent of this Ordinance so that the public health, safety and welfare may be secured, and substantial justice served, and 4) That the proposed hardship is not caused by the owner and/or is not for economic reasons

**2. FEES**

\_\_\_\_\_ All associated flat fees in accordance with the fee schedule have been paid.

**DISCLAIMER**

**THIS CHECKLIST IS USED BY THE ELGIN CITY ENGINEER (TRC) FOR THE REVIEW OF PROPOSED DEVELOPMENTS IN THE CITY OF ELGIN. THIS DOCUMENT DOES NOT GOVERN OVER OR SUPERSEDE ANY REQUIREMENTS OF THE CITY'S SUBDIVISION ORDINANCE OR CONSTRUCTION STANDARDS. ALL REQUIREMENTS IN THE ORDINANCE AND STANDARDS MUST BE MET BY THE DEVELOPER AND THE DEVELOPER'S ENGINEER.**

**SUBDIVISION REQUIREMENTS CAN BE FOUND AT:**

[https://library.municode.com/tx/elgin/codes/code\\_of\\_ordinances?nodeld=PTIICOOR\\_CH36SU\\_ARTIINGE](https://library.municode.com/tx/elgin/codes/code_of_ordinances?nodeld=PTIICOOR_CH36SU_ARTIINGE)

**THE LATEST PARKLAND DEDICATION AND FEES ORDINANCE CAN BE FOUND AT:**

[https://library.municode.com/tx/elgin/ordinances/code\\_of\\_ordinances?nodeld=891710](https://library.municode.com/tx/elgin/ordinances/code_of_ordinances?nodeld=891710)

**THE COMPLETE CONSTRUCTION STANDARDS CAN BE FOUND AT:**

<http://elqintx.com/DocumentCenter/View/100/Construction-Standards>

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# PRE-APPLICATION MEETING REQUEST

**This is mandatory for subdivision variances**

Date: \_\_\_\_\_

### REQUESTED MEETING DATE/DAY/TIME

Requested Meeting Date(s) or Day(s): \_\_\_\_\_

Requested Meeting Time(s): \_\_\_\_\_

### PROJECT LOCATION

Parcel ID's from County Appraiser: \_\_\_\_\_

\_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

### REQUIRED ITEMS AT MEETING

Full List of Meeting Attendees (Contact is mandatory).

Checklist of Meeting Topics and Questions to Discuss

Additional Narrative of Proposed Project

**Failure to provide items is grounds to decline meeting.**

### CONTACT INFORMATION

Contact Name: \_\_\_\_\_

Contact Role (e.g. owner, agent, developer): \_\_\_\_\_

Contact Phone: \_\_\_\_\_; Contact E-Mail: \_\_\_\_\_



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# SUBDIVISION VARIANCE APPLICATION

Date: \_\_\_\_\_

## SITE INFORMATION

Project Address: \_\_\_\_\_

Parcel Identification Number (if no address): \_\_\_\_\_

## APPLICANT

Name: \_\_\_\_\_

Postal Address: \_\_\_\_\_

\_\_\_\_\_

E-Mail Address: \_\_\_\_\_; Phone Number: \_\_\_\_\_

The information given on this application is accurate to the best of my knowledge. All provisions of laws and ordinances governing this work will be complied with, whether specified on this application or not.

\_\_\_\_\_

Signature

Printed Name

Date

Project Description:

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