APPLICATION - REQUEST FOR VARIANCE OR APPEAL ZONING BOARD OF ADJUSTMENT TOWN OF COPPER CANYON

DATE: 01-19-2024

I, the undersigned owner or authorized agent of the following described real property located in the Town of Copper Canyon, Texas, hereby make application for a request for a variance from the terms of section **2-102 Yard requirements** of the Town of Copper Canyon Zoning Ordinance.

LOCATION OF PROPERTY

Street Address: 1700 Bishop Lane				
Legal Descripti	ion: Lot/Tract	, Block, of Subd	ivision/Abstract <u>C. Cook</u> s	sey Survey, Abstract No. 270
REQUEST: (If there is additional information which you feel would be helpful to the Board in making a decision, be sure to include this information in your request. If additional space is required to explain your request, please attach the explanation to this application.)				
Request to reduce the Front Yard setback line from 50ft to 40ft. The purpose is to have more clearance in between the septic area and the building, which will help to control any health issues that may be caused by septic systems.				
A non-refundable application fee of \$200 required at the time of application.				
For a variance to be granted by the Board of Adjustment, the Board must determine that all of the following conditions apply:				
(a)	There are special circumstances existing on the property on which the application is made related to size, shape, area, topography, surrounding conditions and location that do not apply generally to other property in the same area and the same zoning district. Yes, the lots in this specific site are restricted by the shape and size. Having to comply with the width requirements, some of the lots have a shorter depth which makes the septic system to be closer to the			
(b)	That a variance is necessary to permit the applicant the same rights in the use of this property that are presently enjoyed under the ordinance by other properties in the vicinity and zone, but which rights are denied to the property on which the application is made. Other properties in the vicinity currently have as set back 40ft as we are requesting. (i.e Cooper Creek)			
(c)	That the granting of the variance on the specific property will not adversely affect the land use pattern as outlined by the Master Land Use Plan and will not adversely affect any other features of the Comprehensive Master Plan of the Town of Copper Canyon. The variance will not adversely affect the Land use pattern.			
(d)	That the variance, if granted, will be not be materially detrimental to the public welfare or injure the use, enjoyment or value of property in the vicinity. The variance will not be materially detrimental to the Public welfare.			
I have read this application form and understand that filing the application and paying the fee does not guarantee an affirmative action by the Board of Adjustment. I further understand that at least four (4) affirmative votes must be cast in order to receive a variance.				
receive a variance.			Adrian Perez	
Signature of Applicant			Print Name	
760 E. Main St, Suite 304. Lewisville, TX, 75057				469-499-7544
Mailing Address			Telephone (Home)	Telephone (Day Number) CR - 576 (
Staff Member		COL	Date	Receipt Number
BOARD OF ADJUSTMENT DECISION: () DENIED () GRANTED				
TERMS AND/OR CONDITIONS:				
BOARD OF AL	DJUSTMENT CHAIRM	IAN:		DATE:
Filed with office of the Secretary thisday of, BOA Packet Page 2				

PROCEDURE - REQUEST FOR VARIANCE OR APPEAL BOARD OF ADJUSTMENT TOWN OF COPPER CANYON

- 1. The Board of Adjustment consists of five (5) members and all cases must be heard by at least four (4) members. The Board is a quasi-judicial board. It is not a legislative body with the authority to amend ordinances or create new laws. The Board conducts hearings on matters dealing with the Copper Canyon Zoning Ordinance and determines if strict compliance with the ordinance will create a hardship. The Board also considers whether the variance will comply with the spirit and intent of the ordinance. In order for a variance to be granted, all four (4) items (a through d) identified on the application must apply. If any of the items do not apply, the Board does not have the ability to grant a variance.
- 2. The Board also has the authority to hear and decide appeals where it is alleged that there is an error in an order, requirement, decision or determination made by any administrative official of the Town in the enforcement of the Zoning Ordinance. Such appeals must be filed within fifteen (15) days of the rendering of the decision by the administrative official.
- 3. A pre-filing interview may be held if requested by the applicant or if deemed necessary by the Town.
- 4. The application must be signed by the property owner. If the applicant is not the owner, a notarized document showing authority to request the variance must accompany the application.
- 5. The following must also accompany the application packet:
 - A. A \$200.00 application fee.
 - B. A site plan of the lot showing all property lines as well as a depiction of the requested variance.
- 6. Application fee, necessary documents, etc. in completed form must be submitted to the Town Secretary. You must supply six (6) copies of any supporting documents larger than 8.5 X 11 inches or any colored rendering.
- 7. After the above items have been completed, the variance request will begin the following process:
 - A. (If applicable, the following will occur.) The applicant and all property owners within 200 feet of the property where the variance is requested will be notified of a Public Hearing to be held by the Board of Adjustment by notice deposited in the U.S. mail. Said notices are to be mailed at least 10 days prior to the Public Hearing.
 - B. The applicant or representative must be present at the Board of Adjustment public hearing. Failure to attend the public hearing will cause the Board to deny the item without prejudice to refiling.
 - C. Persons who are in favor or who oppose the request are allowed to appear before the Board in order to present their views.
- Any additional information such as renderings, elevations, models or other supporting documents that you
 wish to submit may be introduced at the meeting.

According to state law, no variance can be granted without the concurring vote of at least four (4) members of the Board.

APPEALS TO A DECISION RENDERED BY THE BOARD OF ADJUSTMENT

The only appeal to a decision rendered by the Board of Adjustment is to State District Court. The appeal must be filed with the district court within ten (10) days of the Board's decision. State law prohibits the Town Council from hearing an appeal.