

1. PROPERTY OWNER CONTACT INFORMATION:

OWNER NAME: _____ PHONE 1: _____
PHONE 2: _____ FAX #: _____
E-MAIL: _____
MAILING ADDRESS: _____

2. *AGENT REPRESENTING PROPERTY OWNER (If Applicable):

AGENT / CONTRACTOR COMPANY: _____
PHONE 1: _____ PHONE 2: _____
E-MAIL: _____ FAX #: _____
MAILING ADDRESS: _____
CONTACT PERSON'S NAME: _____ PHONE: _____

3. PROPERTY DESCRIPTION:

HCAD PARCEL NO(s) 13-digit Tax ID(s): _____
PROPERTY ADDRESS (If existing): _____
PROPERTY LEGAL DESCRIPTION: _____

4. SPECIAL EXCEPTION REQUEST:

A Special Exception allows for deviation from the requirements of the City's Zoning Ordinance. In order to grant a Special Exception, the Zoning Board of Adjustments (ZBOA) must find that the exception is not contrary to the best public interest and will not adversely affect the value or use of an adjoining property. Special Exceptions considered by ZBOA are limited to the following requests:

Check applicable box for specific Special Exception request:

- Reconstruction of (or addition to) an existing building occupied by a non-conforming use
- Deviation of lot setbacks as stipulated by the City's Zoning Ordinance
- Elimination or reduction of off-street parking and loading regulations
- Deviation from minimum lot size/width requirements within the Large Lot District

5. APPLICATION CHECKLIST & SUPPORTING DOCUMENTATION (check boxes indicating items submitted with your application):

- COMPLETE ITEMS 1-5 OF APPLICATION SUBMIT \$150 APPLICATION FEE (Non-Refundable)
- ATTACH SEPARATE SHEET WITH INFORMATION HELPFUL IN CONSIDERING YOUR REQUEST:
(Specify the facts involved, relief desired, and the grounds for the request.)
- WRITTEN AUTHORIZATION FROM PROPERTY OWNER TO ACT ON HIS/HER BEHALF (If applicable)

NOTE: It is the responsibility of the applicant to prove that his/her request meets conditions established for a Special Exception from the ZBOA.

PRINTED NAME: _____ SIGNATURE: _____ DATE SUBMITTED: _____
(Applicant) (Applicant)

(STAFF USE ONLY):

APPLICATION NO: _____

DATE APPLICATION REC'D.: _____ **APPLICATION REC'D BY:** _____

- SITE PLAN REC'D \$150 APPLICATION FEE REC'D APPLICANT'S SUPPLEMENTAL INFO REC'D OWNER AUTHORIZATION
- ZBOA MEETING DATE:** _____ **SPECIAL EXCEPTION GRANTED?** YES NO

The following is an excerpt from the City of La Porte Code of Ordinances:

SEC. 106-191. SPECIAL EXCEPTIONS.

- (a) *Application for special exceptions.* All applications for special exception to the terms of this chapter shall be in writing and shall specify the facts involved, the relief desired, and the grounds therefor. Each such application shall be filed, along with the appropriate fees, with the enforcement officer who after investigation shall transmit such application together with his report to the board of adjustment within ten days after the filing of the application with the enforcement officer.
- (b) *Special exceptions to be reviewed; finding of facts.* The term "special exception" shall mean a deviation from the requirements of this chapter, specifically enumerated herein, which shall be granted only in the following instances, and then only when the board finds that such special exception will not adversely affect the value and use of adjacent or neighboring property or be contrary to the best public interest:
- (1) To reconstruct, enlarge or extend a building occupied by a nonconforming use on the lot or tract occupied by such building, provided that the reconstruction, extension, or enlargement does not prevent the return of the property to a conforming use.
 - (2) To deviate yard requirements in the following circumstances:
 - a. Any exception from the front yard requirements where the actual front yard setback of any abutting lot does not meet the front yard requirement.
 - b. A rear yard exception where the actual rear yard setback of any four or more lots in the same block does not meet the rear yard requirements of these regulations.
 - c. A yard exception on corner lots.
 - d. An exception where the existing front yard setbacks of the various lots in the same block are not uniform, so that any one of the existing front yard setbacks shall, for buildings hereafter constructed or extended, be the required minimum front yard depth.
 - (3) To waive or reduce off-street parking and loading requirements when the board finds the same are unnecessary for the proposed use of the building or structure for which the special exception request applies.
 - (4) To deviate from the minimum lot size or width requirements for property within the large lot district, where the board finds that all of the following conditions are shown:
 - a. That one or more lots located in the same block as the subject property are not uniform in terms of shape and/or size so that any further subdivision of the subject property cannot be in accordance with the regulations governing the district;
 - b. It can be demonstrated that the subdivision will not circumvent the spirit of the district regulations, or particularly, the rural character of the district; and,
 - c. Granting the special exception will not be injurious to the value or enjoyment of adjacent properties within the district.
- (c) *Hearings on applications for special exceptions.* The board of adjustment shall fix a reasonable time for the hearing of all applications for special exceptions, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time as specified in [section 106-194](#). Upon the hearing any party may appear in person or by agent or by attorney.

(Ord. No. 1501-T4, § 6(Exh. F), 10-24-05)