



CITY OF KILLEEN ZONING VARIANCE & SPECIAL EXCEPTION APPLICATION

Zoning variance criteria:

In granting approval of a request for a zoning variance, the Zoning Board of Adjustments has the power to authorize upon appeal in specific cases such variance from the terms of Chapter 31 that will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed and substantial justice done, including the following:

Permit a variance in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical or other conditions, provided such variance will not seriously affect any adjoining property or the general welfare.

Authorize upon appeal, whenever a property owner can show that a strict application of the terms of this chapter relating to the use, construction or alteration of buildings or structures or the use of land will impose upon him unusual and practical difficulties or particular hardship, such variances from the strict application of the terms of this chapter as are in harmony with its general purpose and intent, but only when the board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the comprehensive plan as established by this chapter, and at the same time, the surrounding property will be properly protected.

Special Exception criteria:

The Zoning Board of Adjustments has the power to hear and decide special exceptions to permit the construction of unique commercial buildings or custom homes having a modern or contemporary architectural aesthetic, which do not conform to the Architectural and Site Design Standards. In considering such request, the board shall consider whether the proposed design meets the intent, if not the letter, of the architectural and site design standards.

Requirements for all zoning variance & special exception submittals:

- All application materials must be submitted prior to the convening of the Zoning Board of Adjustments for the request for the variance or special exception to be heard.
- Completed application with nonrefundable \$275.00 application fee + \$10.00 tech fee.
- Must be signed, original ink, by the property owner, or in the case of a corporation or partnership, documentation must be provided authorizing a single party to sign on behalf of the corporation or partnership.
- Electronic copies in .pdf format of all submittal documents
- For a variance, a request letter from the applicant stating how the variance will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship.
- For a special exception, a request letter from the applicant stating how the proposed design meets the intent, if not the letter, of the architectural and site design standards.
- Copy of Deed restrictions if any



**CITY OF KILLEEN
ZONING VARIANCE & SPECIAL EXCEPTION APPLICATION**

Address Location of property of the request: _____

Legal Description: _____

Name(s) of Property Owner(s): _____

Address: _____

City: _____ State: _____ Zip: _____

Primary Phone: (_____) _____ - _____ Cell Phone: (_____) _____ - _____

Email: _____

Type of Ownership: Sole Ownership Partnership Corporation Other

Recorded Copy of Warranty Deed: Is a copy of the appropriate deed(s) attached? YES NO

Name of Engineer/Surveyor (if applicable): _____

Address: _____

City: _____ State: _____ Zip: _____

Primary Phone: (_____) _____ - _____ Cell Phone: (_____) _____ - _____

Email: _____

Is the Property: Within City Limits or Within the ETJ (5.0 miles) YES NO

Proposed Land Use: _____ Current Land Use _____

Total Acreage: _____ Number of Lots: _____ Current Zoning: _____ Proposed Zoning: _____

Is there a simultaneous rezoning of any part of this property? YES NO

Owner(s) must initial:

_____ I hereby certify that all fees/charges owed by me/us to the City concerning any prior plats and/or subdivisions have been paid in full as of the date of this application.

_____ I understand that I may request a development review with city staff at any time during the platting, variance, or special exception process.

_____ I understand that I must obtain approval of my requested variance or special exception from the Zoning Board of Adjustments prior to the approval of my permit submission.



APPOINTMENT OF AGENT

As owner of the subject property, I hereby appoint the person designated below to act for me, as my agent in this request.

Name of Agent: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ - _____

Home Phone: (____) _____ - _____ Business Phone: (____) _____ - _____

I acknowledge and affirm that I will be legally bound by the words and acts of my agent, and by my signature below, I fully authorize my agent to:

be the point of contact between myself and the City; make legally binding representations of fact and commitments of every kind on my behalf; grant legally binding waivers of rights and releases of liabilities of every kind on my behalf; consent to legally binding modifications, conditions, and exceptions on my behalf; and, to execute documents on my behalf which are legally binding on me.

I understand that the City will deal only with a fully authorized agent. If at any time it should appear that my agent has less than full authority to act, then the application may be suspended, and I will have to personally participate in the disposition of the application. I understand that all communications related to this application, are part of an official proceeding of City government and, that the City will rely upon statements made by my agent. Therefore, **I agree to hold harmless and indemnify the City of Killeen, its officers, agents, employees, and third parties who act in reliance upon my agent's words and actions from all damages, attorney fees, interest and costs arising from this matter.** If my property is owned by a corporation, partnership, venture, or other legal entity, then I certify that I have legal authority to make this binding appointment on behalf of the entity, and every reference herein to "I", "my," or "me" is a reference to the entity.

Signature of Agent: _____ Title: _____

Printed/Typed Name of Agent: _____ Date: _____

Signature of Property Owner: _____ Title: _____

Printed/Typed Name of Property Owner: _____ Date: _____

Signature of Property Owner: _____ Title: _____

Printed/Typed Name of Property Owner: _____ Date: _____

Signature of Property Owner: _____ Title: _____

Printed/Typed Name of Property Owner: _____ Date: _____

* Applications must be signed by the individual applicant, each partner of a partnership, or by an authorized officer of a corporation or association.

Current as of July 2022



CONTACT LIST

City of Killeen Contacts:

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