Variance Application Process

City of Richardson, Texas

Purpose and Review Process

If a property is unable to comply with the provisions of the City of Richardson Subdivision and Development regulations, a property owner may request a variance. Review of a variance request is a multi-step process, requiring ***a minimum of 7-8 weeks***. The process is described below.

Presubmittal Conference and Initial Submittal Deadlines

The applicant ***must*** schedule a Presubmittal Conference with a Planner no fewer than five (5) and no more than 42 working days in advance of the anticipated Variance application submittal to review the Variance application for completeness.

Refer to the current *Development Review Schedule* for City Plan Commission meeting dates and corresponding Presubmittal Conference and Initial Development Submittal (IDS) deadlines.

Initial Submittal Authorization

If the Planner determines the Variance application is substantially complete and in accordance with City requirments, the applicant will receive an Initial Development Submittal Authorization form. No Initial Development Submittal will be accepted without the required Authorization form.

Initial Development Submittal (IDS)

The applicant ***must*** submit a complete IDS package to the Development Services Department before the deadline on a designated submittal date (refer to the Submittal Requirements sheet). *Complete submittals received after the submittal deadline will be held for review beginning on the next scheduled IDS date. Incomplete submittals will be denied, with written notice delivered to the applicant and owner indicating the reason(s) for denial.*

Staff Review and Comment Period

If the complete IDS package is received by the submittal deadline, City staff will conduct an inter-departmental review of the Variance application, and a Planner will return redline comments to the applicant, typically within 2-3 weeks. The Planner will advise the applicant if additional review will be required and if necessary, develop a revised review schedule. The applicant will typically be given at least 5 working days to address the redline comments.

Notification of Request

Adjacent property owners that may be affected will be mailed a written notification of the variance request 10 days prior to the anticipated City Plan Commission hearing date.

Final Development Submittal (FDS)

Prior to the City Plan Commission meeting, the applicant ***must*** submit a complete FDS to the Development Services Department (refer to the Submittal Requirements sheet). The Planner will establish the submittal deadline for the FDS. *Incomplete submittals will be rejected, with written notice delivered to the applicant and owner indicating missing items.*

A Planner will review the complete FDS to insure that all staff redline comments have been addressed prior to placing the Variance request on a City Plan Commission agenda. If comments have not been adequately addressed, a Planner will notify the applicant.

City Plan Commission Hearing

The City Plan Commission (CPC) will review the variance request and forward a recommendation to the City Council. The Commission may recommend approval of the request as presented, recommend approval with conditions, or may deny the request.

If the CPC denies the request, the applicant will be notified in writing by the Development & Engineering Department. The applicant must notify the Development & Engineering Department **in writing** within ten (10) days of the City Plan Commission meeting if they intend to appeal the CPC denial to the City Council. Upon receipt of written notice, a date will be set for the City Council appeal, typically within 45 days of the City Plan Commission hearing. If the applicant does not respond within the ten (10) days allotted, the variance request will be considered denied in accordance with the CPC decision.

The City Plan Commission generally meets on the first and third Tuesday of each month at 7:00 p.m. in the Council Chambers at the Richardson Civic Center/City Hall, 411 W. Arapaho Road, Richardson, Texas, 75080. *The applicant is required to attend the City Plan Commission meeting at which the Variance request is to be reviewed.*

City Council Hearing

If the CPC forwards a favorable recommendation to the City Council, the Council will consider the variance request for final action approximately three (3) weeks after the CPC review, with no action required by the applicant.

The City Council generally meets on the second and fourth Monday of each month at 7:30 p.m. in the Council Chambers at the Richardson Civic Center/City Hall, 411 W. Arapaho Road, Richardson, Texas, 75080. *The applicant is required to attend the City Council meeting at which the Variance request is to be reviewed.*

Approval Confirmation

If the request is approved by the City Council, the City Secretary will mail written confirmation of the approval and any applicable conditions on the approval to the applicant.

Initial Development Submittal Requirements

- Initial Development Submittal Authorization (provided by Planner);
- Completed Variance Application;
- Fourteen (14) 24" x 36" variance site plan drawings folded to 9" x 12" with title block visible when folded; showing the location of existing and proposed buildings and structures, circulation, and parking areas and indicating proposed variances;
- An Applicant's Statement (letter of request describing the proposed variance), along with any supporting information; and
- Variance review fee (ref. Zoning, Variance, and Development Review Fees).

Final Development Submittal Requirements

- Redline check set (provided by planner);
- Revised Applicant's Statement and supporting materials;
- Ten (10) 24" x 36" variance site plan drawings folded to 9" x 12" with title block visible when folded;
- One (1) 11" x 17" variance site plan drawing;
- One (1) 24" x 36" color variance site plan presentation drawing; and
- Electronic color variance site plan presentation drawing file in JPEG, TIFF, EMF, WMF, or EPS format, minimum 10" wide x 8" high (landscape orientation) at minimum 150 d.p.i. resolution.