

Sec. 142-8. - Variances and appeals.

- (a) These rules and regulations are the standard requirements of the City. Suspension of any of these rules and regulations may be granted by the City Council upon a good and sufficient showing by the owner that there are special circumstances or conditions affecting the property in question, or that enforcement of the provisions of this Chapter will deprive the applicant of a substantial property right, and that such suspension, if granted, will not be materially detrimental to the public welfare or injurious to other property or property rights in the vicinity. Each and every application for variance shall be decided solely and entirely on its own merits; and the disposition of any prior or pending application for variance shall not be allowed to enter into or affect any decision on the application in question. Pecuniary interests standing alone shall not be justification for the granting of a variance.
- (b) If the suspension of any of the rules and regulations of this chapter is sought, said variance request shall not be required to be considered by the Planning and Zoning Commission prior to being considered by the City Council. The Director of Planning shall have the authority to send any variance request to the Planning and Zoning Commission for any reason.

~~The property owner or applicant of the tract of land under consideration who is aggrieved by a decision made by any City Administrator or Official under these regulations shall first apply to the Planning and Zoning Commission for relief from such administrative decision within 21 days of the date that the decision was made. The aggrieved party may appeal the ruling by the Planning and Zoning Commission to the City Council within 21 days of the date that the decision was made by the Planning and Zoning Commission. All requests for appeals must be in writing and submitted to the Director of Planning within the aforementioned time frames.~~

- (c) The approval or denial of a plat or general development plan by the Planning and Zoning Commission may be appealed to the City Council. Within 14 calendar days of the action by the Commission, the appellant shall notify the Director of Planning in writing of the desire to appeal the decision of the Commission to the City Council. Any appeal to the City Council shall not be considered a filing under V.T.C.A, Local Government Code § 212.009 or any successor statute, and thus shall not require Council action within 30 days. The Director of Planning shall prepare a report and place the plat or general development plan on the agenda for consideration of the appeal by the Council.

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