



Permit Number

APPLICATION

BOARD OF ADJUSTMENT · SPECIAL EXCEPTION

Required Attachments

Please review the following requirements. Your application **will not be accepted** if any of the below items are missing or incomplete. Please submit your completed application to the Planning and Permits Department in person or via email at permits@cityofkennedale.com.

- Two site plans drawn to scale with all structures, fences, dimensions, property lines, etc. and how you propose to use the property.
- A statement to the BOA explaining your request and how your proposed use would meet the six standards for a special exception.
- Owner affidavit form completed if the applicant is not the property owner.
- A \$250 filing fee.
- Any other information that you feel will help explain your request.

Applicant Information

Applicant Name: _____

Applicant Address: _____

Applicant Phone: _____ Applicant Email: _____

Property Address: _____

Property Legal Description: _____

Special Exception Use Requested: _____

Owner Information (If different than applicant)

Owner Name: _____

Owner Address: _____

Owner Phone: _____ Owner Email: _____

Special Exception Request

Please provide a statement explaining your request and how your proposed use will meet the following six standards:

1. Will the establishment, maintenance, or operation of the use you are requesting be materially detrimental to or endanger the public health, safety, morals, or general welfare?
2. Will the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance, or operation of the use for which you are requesting a special exception?
3. Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?
4. Have adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements you will make and how/when).
5. Have adequate measures been taken or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets?
6. Does the use conform to all applicable area, yard, height, lot coverage, building size, exterior requirements, and parking space regulations of the district in which it is located?

Special Exception Checklist

Has a previous application or appeal been filed on this property? Yes No

If yes, when was the application or appeal filed? _____

Has a special exception for the same use been granted for this property? Yes No

If this request of for oil or gas well drilling, how many wells are requested? _____

New Construction Addition Remodel

Site Improvements

Adequate water service in place? Yes No Size of water line available: _____

Adequate sewer service in place? Yes No Size of sewer line available: _____

Adequate drainage facilities in place? Yes No Describe: _____

Adequate access roads in place? Yes No Describe: _____

Other necessary site improvements: _____

Ingress and Egress

Drive approach width is adequate? Yes No

Drive/parking are sufficient to prevent/minimize stacking/congestion in public streets? Yes No

Number of parking spaces provided: _____

Applicant Agreement

By signing below, I acknowledge that I have read and completed all applicable requirements. I understand that if I have submitted an incomplete or false application, my application may be rejected and that the fee is nonrefundable.

Signature of Applicant: _____ Date: _____

Please submit to permits@cityofkennedale.com with supporting documents if applicable.

**City of Kennedale
Board of Adjustment
Owner Affidavit**

Case # BOA _____

Property Address: _____

Legal Description: _____

Applicant Name: _____

Applicant Email: _____

Type of Request: _____

I, _____, current owner of above mentioned property, authorize the applicant or his or her authorized representative to make application for the Kennedale Board of Adjustment to consider granting the above referenced request on my behalf and to appear before the Board.

Owner Signature

Date

SWORN TO and Subscribed before me by _____

ON THIS _____ **DAY OF** _____, 20 _____

Notary Public, Tarrant County, Texas

City of Kennedale Board of Adjustment Procedures

The Board of Adjustment is composed of five members and up to four alternates who are residents and taxpayers of the City of Kennedale, each of whom has been appointed by the City Council. The Board must hear each case and render a decision based on the merits of the case. The Board's decisions are governed by the City of Kennedale regulations and by state law. Please note that the Board must follow these standards in order to find in an applicant's favor; if the standards are not met, the Board cannot grant the applicant's request.

1. After the meeting is called to order, all necessary business will be taken care of before the hearing of the first case. Necessary business may include, but is not limited to, hearing from visitors about topics not related to the cases posted on the agenda to be heard by the Board and approval of minutes from previous meetings.
2. When it is time for a specific case to be heard, the Chairman of the Board will read a brief summary of the request. A member of the city staff may then be called upon by the Chairman to give a presentation providing pertinent facts concerning the case to be reviewed.
3. The Chairman will then call upon the applicant to present the case and all evidence supporting his request. The applicant will have fifteen minutes to present their case and all supporting evidence, including presentations by witnesses or supporters brought by the applicant. The applicant may ask for one extension of a maximum five minutes, if needed, to complete their presentation.
4. The Board may ask the applicant a series of questions, and only the applicant and or his/her representatives may respond. No one from the audience may address the Board except during the public hearing or unless specifically questioned by a member of the Board.
5. The Chairman will then open the public hearing and will call for those in support of the case (those who are not witnesses or supporters brought by the applicant) to address the Board. Speakers will address all comments to the Chairman of the Board. Each speaker will have a maximum of three minutes to address the Board.
6. The Chairman shall next call on those opposed to the granting of the applicant's request to present their arguments. Speakers will address all comments to the Chairman of the Board. Each speaker will have a maximum of three minutes to address the Board.
7. The applicant shall have the opportunity to cross examine any adverse witness and shall have a maximum of five minutes to cross examine. The applicant shall then have the right of rebuttal to arguments presented by the opposition and shall have a maximum of five minutes to rebut. Following the rebuttal, the Chairman shall order the hearing closed.

8. Each side shall proceed without interruption by the other, and all arguments/pleading shall be addressed to the Board. No questioning between individuals will be permitted except during cross-examination during the time allotted by the Board. During the hearing, no Board members shall discuss, debate, or argue an issue with the applicant or any other speakers who address the Board during the hearing, nor indicate his/her probable vote on the appeal.
9. After all have been heard, the Chairman will close the public hearing and the Board members will discuss the case and express opinions as to its merits. During its review, the Board may call back any applicant or speaker for clarification of facts presented in the hearing. Note: During this discussion period, members of the audience are to refrain from addressing the Board or making any public statement. Should the need arise, the Chairman is free to open the public hearing again and request any party for clarification or additional information. After further discussion, the public hearing will again close.
10. When the Board has received all required facts concerning the case, the Chairman will entertain a motion. One Board member will make a motion. If the motion receives a second, the Chairman will allow further discussion if needed. The vote will then be taken and the Chairman will announce the decision. At this time any additional cases will be heard. After all scheduled cases have been called, the Board may conduct any further business or adjourn.
11. Normally decisions on appeals will be given within thirty days after the required public hearing or after receipt of all evidence or information. Appeals of the decision made by the Board of Adjustment must be filed within ten days after the Board's decision has been filed in the office of the City Secretary.

For Office Use Only		
Completeness Check		
Application form completely filled and signed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Attached site plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Fee paid?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sign _____	Date _____	