

REQUEST FOR VARIANCE - Permit Application

Request For Variance To Drill A Water Well Within The Bastrop City Limits
If approved, this form will also serve as the Well Drilling Permit Application

Applicant's Name: _____ **Site Address:** _____

Mailing Address: _____

_____ Zip _____ **TAX ASSESSORS PARCEL #** _____

Email: _____ Phone: () _____

*Is the applicant the **OWNER** of the property? Yes / No* *If no, list relationship to property: _____*

Well Driller: _____ **Consultant:** _____

Driller's Certificate Number: _____ Mailing Address: _____

Mailing Address: _____ Zip _____

_____ Zip _____ Phone: () _____ Fax: () _____

Phone: () _____ Fax: () _____

Purpose of Water Well: Domestic _____ Irrigation/Ag _____ Commercial _____ Other _____

If "Other", please describe purpose: _____

Well Description: Approximate Size/Depth _____ Location of Well _____

Cost Estimate For Well (Including Specification) \$ _____

NOTE: A copy of the engineering plans or detailed description of the operation to be conducted **MUST** be attached to this application as **Exhibit 'A'**.

_____ (initials) **Applicant agrees that after the Variance is granted by the Council, but prior to the issuance of the well drilling permit by the City, the Applicant must provide documentation to the Director of Utilities that he/she has received a well drilling permit from the Lost Pines Ground Water Conservation District (or other applicable authority).**

_____ (initials) **Applicant agrees that NO DRILLING will be allowed until the Permit for Well Drilling has been issued by the City of Bastrop's Director of Utilities.**

_____ (initials) **Applicant agrees that Driller (listed above) has or will perform all of the necessary line checks prior to beginning the requested work on the property.**

_____ (initials) **Applicant agrees to be liable to the City for any and all damages that may occur as a result of the work on the property, pursuant to the indemnity clause set forth herein, executed and agreed to by the Applicant.**

_____ (initials) **Applicant and/or Driller must provide the City with written documentation of the Driller's valid certificate of insurance, covering the general liability for the proposed drilling activities, in the minimum amount of \$1 million US Dollars. In addition, Driller agrees to be liable to the City for any and all damages that may occur as a result of the work on the property, pursuant to the indemnity clause set forth herein, executed and agreed to by the Driller.**

_____ (initials) **Applicant agrees that this Variance shall remain valid and in affect for 120 days from the date executed by the City. A single extension of 60 additional days may be requested, in writing, by the Applicant and may be granted at the discretion of the Director of Utilities.**

Indemnity Clause:

To the fullest extent permitted by law, the Driller and the Applicant shall indemnify and hold harmless the City and its' officers, agents, affiliates and employees from and against all claims, damages, losses and expenses, including, but not limited to attorney's fees, whether incurred in the investigation or defense of same, arising out of or related to the performance of any of the driller's activities on the property, whether for bodily or personal injury, sickness, disease or death, or injury to or destruction of personal property, including the loss of use of any personal property, in whole or in part, by any negligent, grossly negligent or intentional act or omission of the driller or anyone directly or indirectly employed by or working at the direction of or in concert with the driller.

Pursuant to Section 4.09.002 "Variances" of Chapter 4, Business Regulations, Article 4.09 "Drilling or Mining"; I, _____, Name of Applicant allege that strict compliance with the City's Code of Ordinances would result in undue hardship and hereby request that a variance for water well drilling be granted.

Acknowledged and Agreed:

Applicant / Property Owner

Date

Notary:

State of Texas
County of _____

Sworn to and subscribed before me on the _____ day of _____, 20____
by _____.

(Seal)

Notary Public's Signature

Acknowledged and Agreed:

Well Driller

Date

Notary:

State of Texas
County of _____

Sworn to and subscribed before me on the _____ day of _____, 20____
by _____.

(Seal)

Notary Public's Signature

This section to be completed by Mayor of City of Bastrop:

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BASTROP FINDS THAT:

The circumstances required for granting approval of the above described variance, as set out in Section 4.09.002 of the Code of Ordinances do exist on the Property, and therefore, after consideration of the input received from the Applicant and the City's Staff, the request to grant the variance to the Applicant IS HEREBY GRANTED, with the following conditions, if any:

The above request for a well drilling variance was heard and granted on _____ by
the City Council of Bastrop. Date

Ordered and Executed on Behalf of the City Council:

Mayor, City of Bastrop

STATE OF TEXAS
COUNTY OF BASTROP

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I, Ann Franklin, City Secretary of the City of Bastrop, hereby certify that the attached "Action of the City Council of the City of Bastrop Granting a Variance to Drill a Well Within the City Limits" is a true and correct copy of the original document located in the City Secretary's Office, and I further certify that such document accurately reflects the action granting a variance taken by the City Council on _____, 20_____.

Ann Franklin
City Secretary
City of Bastrop

EXHIBIT A
[Diagram of Plans For Well]

Forms Verification:

- Approved Variance Request Application
 - Proof of Driller's Insurance (attached)
 - Exhibit A (Diagram of Plans For Well)
 - Certificate of Authenticity of Variance From City of Bastrop
 - Copy of the City Council Minutes Reflecting the City's Final Action To Approve This Variance
 - Copy of Well Permit (Issued by Lost Pines Ground Water Conservation District or other applicable authority.)
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Permit # _____ for water well drilling inside the city limits of Bastrop has been approved and issued to _____ on this _____ day of _____, 20____.

Acknowledged By:

Trey Job, Director of Utilities, City of Bastrop