



ZONING BOARD OF APPEALS
VARIANCE APPLICATION

Date Received: _____ Initials: _____

Project Number: _____ Case Number: _____

1. PROPERTY INFORMATION

a) Address: _____

b) Parcel ID Number(s): _____
Attach additional sheets if necessary

c) Parcel Area (acres or square feet): _____

d) Current Zoning District: _____

e) Current Property Use: _____

2. OWNER INFORMATION – REQUIRED

Name Company

Address, City, State, ZIP+4

Phone Fax Email

Signature of Owner(s) & Date

3. APPLICANT INFORMATION – engineer, architect, attorney or other, if applicable

Name Company

Address, City, State, ZIP+4

Phone Fax Email

Signature of Applicant & Date

Applicant's Interest in Property:

- Contractor
- Contract Purchaser
- Other _____

Send Correspondence To: *Select one entity to receive all correspondence. E-mail will be used for all correspondence unless otherwise requested.*

- Owner
- Applicant
- Representative of Applicant

4. VARIANCE INFORMATION

a) Variance being requested _____

b) From what section of the zoning ordinance is a variance being requested? _____

c) What unique or exceptional characteristics of your property prevent it from meeting the requirements in your zoning district? (Check applicable)

- | | | | | | |
|-------------|-------|-----------|-------|-------|-------|
| Too narrow | _____ | Too small | _____ | Soil | _____ |
| Subsurface | _____ | Elevation | _____ | Slope | _____ |
| Too shallow | _____ | Shape | _____ | Other | _____ |

d) What is your hardship? Please be specific. _____

e) If granted a variance in the form requested, will it be in harmony with the neighborhood and not contrary to the intent and purpose of the Unified Development Ordinance?

_____ Yes _____ No

Please elaborate: _____

- f) Check all that apply: Minor Variance (variations from height, yard, bulk, lot area, and fence height provisions that are 20% to 50% of the required standard)
 Major Variance (variations from height, yard, bulk, lot area, and fence height provisions that are greater than 50% of the required standard and all variations which are not administrative deviations and minor variations)

5. FILING FEE (MUST ACCOMPANY APPLICATION)

Variance Application Fees for any property in the City shall be as set forth below:

\$250.00 per variance requested.

Per Unified Development Code Article 2.14 - Fees Table:

6. REQUIRED SITE PLANS

One copy of the site plan and one on a compact disc or appropriate digital media.

7. FINDINGS OF FACT

If applying for a **Minor Variance**, please select true or false for the following five questions:

Sections 2.6.3.F. Standards for Minor Variations

No variations from the regulations of this development code shall be granted unless the entity or person granting such variation shall find based upon the evidence presented to them in each specific case that all of the following five criteria are true:

- 1) The plight of the owner **is** due to unique circumstances.

_____ True _____ False

Explanation: _____

- 2) The variation, if granted, **will not** alter the essential character of the locality or be injurious to the public or other property or properties.

_____ True _____ False

Explanation: _____

- 3) The proposed variance represents the **minimum** deviation from the standards necessary to accomplish the desired improvement.

_____ True _____ False

Explanation: _____

- 4) The conditions of the variances requested **are not** self-created.

_____ True _____ False

Explanation: _____

- 5) The granting of the variation will result in a public benefit to the surrounding neighborhood and the City as a whole. The public benefit may include, but is not limited to, preservation or enhancement of desirable site characteristics or natural features or historic resources, design that enhances the surrounding area, economic development which may enhance the local economy, or efficient use of land as it relates to surrounding structures and services.

_____ True _____ False

Explanation: _____

If applying for a **Major Variance**, please select true or false for the following three questions:

Sections 2.6.3.G. Standards for Major Variations

No variations from the regulations of this development code shall be granted unless the entity or person granting such variation shall find based upon the evidence presented to them in each specific case that all three of the following criteria are true:

- 1) The property in question **cannot** yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.

_____ True _____ False

Explanation: _____

Facts to consider:

- a. *The purpose of the variation is not based primarily upon a desire to increase financial gain.*

- 2) The plight of the owner **is** due to unique circumstances.

_____ True _____ False

Explanation: _____

Facts to consider:

- a. *The particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.*
- b. *The conditions upon which an application for a variation is based are unique to the property for which the variance is sought, and are not applicable, generally, to other property within the same zoning classification.*
- c. *The practical difficulty or hardship is caused by this ordinance and has not been created by any persons presently having an interest in the property.*

- 3) The variation, if granted, **will not** alter the essential character of the locality or be injurious to the public or other property or properties.

_____ True _____ False

Explanation: _____

Facts to consider:

- a. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.*
- b. *The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the danger of fire, or impair natural drainage or create drainage problems on adjacent properties, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.*

8. APPLICATION/MEETING PROCEDURES

- A) The Zoning Board of Appeals has regularly scheduled meetings the second Thursday of each month at the City Hall Building, Room 400, 419 Fulton Street, Peoria, Illinois.
- B) The deadline for submitting applications for regularly scheduled Zoning Board of Appeals meetings is twenty-eight (28) days prior to the meeting.
- C) The Zoning Administrator must certify that an application for a public hearing is complete (completely filled out, received by the filing deadline, and accompanied by a compact disc or appropriate digital media of the site plan, including digital versions of the application and other attachments as required, including the filing fee) to be processed and scheduled for the next regularly scheduled meeting. **Incomplete applications will be returned.**
- D) The applicant or applicant's representative will receive notice of the date and time of the public hearing. At least fifteen days prior to the hearing, the Community Development Department will mail notices of the hearing to the owners of all property within 250 feet of the subject property.
- E) The format for each public hearing is:
- Chairperson proceeds with swearing-in procedures.
 - Chairperson announces the case.
 - Staff enters case into the record.
 - Staff presents the case.
 - Staff answers questions from the Commission.
 - Petitioner presents case and answers questions from the Commission.
 - Chairperson opens the meeting to the public.
 - Public comments – Chairperson may ask for response/input from Staff and Petitioner.
 - Petitioner presents closing statements.
 - Public testimony is closed. (No further public comment)
 - Commission deliberates and may consult Staff.
 - Commission prepares findings, if applicable.
 - Commission votes.
- F) Application and inquiries should be submitted to:

Zoning Administrator
City of Peoria Development Center
419 Fulton Street, Room 203
Peoria, Illinois 61602-1217

Phone: (309) 494-8600
Fax: (309) 494-8680