

VILLAGE OF PEOTONE

ZONING VARIANCE REQUEST APPLICATION PACKET

**208 East Main Street
P.O. Box 430
Peotone, IL 60468
708-258-3279**

INSTRUCTIONS FOR VARIANCE PROCESS

The petitioner must submit the petition along with a non-refundable \$200 filing fee, to the Zoning Administrator.

When any review of any matter of the petition requires review by outside consultants to be hired by the Village, the petitioner is responsible for reimbursement to the Village for these costs. The Village may require an escrow of 110% of the estimated cost for payment of the consulting services. It is the responsibility of the petitioner to request the return of any unexpended escrow balances.

Providing all information necessary to process the petition is in order, a public hearing will be scheduled within 30 days of the date of submittal or from the last day all required supporting documentation is submitted, which ever is later. The regular meeting of the Planning and Zoning Commission is the third Wednesday of every month.

It shall take a concurring vote of four (4) members of the Commission to recommend approval of any petition. All recommendations shall be made at a public meeting by motion made, seconded, and the Chairman polling the membership by a roll call vote.

After recommendation by the Planning and Zoning Commission, the Village Board shall act on the written recommendation within 30 days of the date the written recommendation is received by the Zoning Administrator.

The Village will place the appropriate legal notice, of the public hearing, in a newspaper of general circulation in the Village, not more than 30 days nor less than 15 days prior to the public hearing, in accordance with state law.

Written notice will be sent, by the Village, not less than fifteen (15) days prior to the hearing, to the property owners, as appear from the tax records of the County of Will, of all property adjacent to, or across from, in each direction of the location for which the application is requested, and of such property owners as may be designated by the Chairman of the Commission. Public roads, streets, alleys, and other public ways shall be excluded in determining whether property is adjacent to or across from the subject property. Railroads shall not be considered public ways for purposes of this section. Such notice shall state the name and address of the applicant, the name and address of the owner of the property and a brief statement of the nature of the variance. A copy of the published notice shall suffice.

If the petitioner is other than the owner of the property, the owner must sign the petition, in addition to the petitioner.

PUBLIC HEARING PROCEDURE

1. The applicant may appear on his own behalf or be represented by counsel or agent.
2. All witnesses shall testify under oath.
3. The application or his representative may make a statement outlining the nature of his request prior to introducing evidence.
4. Evidence shall be presented in the following order:
 - a. Applicant presents evidence
 - b. Commission cross examines applicant, witnesses, or evidence
 - c. Attendees may ask questions of applicant, witnesses, or evidence
 - d. Objectors present evidence
 - e. Commission cross examines objector, witnesses, or evidence.
 - f. Attendees may ask questions of objector, witnesses, or evidence
 - g. Rebuttal by applicant
 - h. Rebuttal by objectors
 - i. Closing of public comment portion of hearing
 - j. Compilation of findings of fact by Commission
 - k. Recommendation by Commission
5. The Commission shall not be bound by the strict rules of evidence, but it may exclude irrelevant, immaterial, incompetent, or unduly repetitious testimony or other evidence.
6. An applicant or objector, or his agent or attorney, may submit a list of persons favoring or opposing the application. Such list will be accepted as an exhibit if it contains nothing more than a brief statement of the position of the persons favoring or opposing the appeal, together with the signature of the persons subscribing to such statement.
7. The Chairman shall rule on all questions relating to the admissibility of evidence, which may be overruled by a majority of the Commission.
8. Right of appeal, if denied, shall be in accordance with state law.

**PLANNING AND ZONING COMMISSION
VILLAGE OF PEOTONE, ILLINOIS
PETITION FOR VARIANCE**

<u>Village Use Only</u>
Application Rec'd: _____
Fee Paid: _____
P & Z Hrg. Date: _____
P & Z Action: _____
Vill. Bd. Date: _____
Vill. Bd. Action: _____

Case No. _____

Pursuant to the Village Code of Peotone, as amended, the undersigned hereby files this Petition, with the applicable filing fee, to the Village Clerk requesting a variance in accordance with the provisions of the Zoning Ordinance of the Village of Peotone, Will County, Illinois.

Petitioner: _____
Address _____

Phone _____
FAX _____
Email _____

Owner, if different: _____
Address _____

Phone _____
FAX _____
Email _____

Attorney, if applicable: _____
Address _____

Phone _____

1. This is a request to allow a variance regarding Section _____, in a _____ zoning district. A variance of _____.

2. Description, use, and present zoning of property (attach a plat of survey of the property):

Parcel ID Number: _____

Street Address: _____

Lot Size: _____ sq.ft., or _____ acres

Legal Description (Add Additional Sheet if Necessary: _____

Case No. _____

- 3. Present Use of Property: _____
- 4. The subject property is owned by: _____
- 5. The property interest of the applicant, if not the owner is: _____

- 6. Current Zoning: _____
- 7. Description of any improvements currently existing on the property: _____

- 8. State the reason for the variance: _____

- 9. List of adjacent property owners to the location for which the variation is requested, as appear from the tax records of the Will County Assessor's Office. Attach additional pages if necessary:

Owner's Name	Owner's Address	Property Address	Parcel ID Number

10. Address each of the following standards, indicating how they relate to your request.
- a. *That the particular surrounding, shape, or topographical conditions of the specific property involved will bring particular hardship upon the owner as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.*

 - b. *That the conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoned classification.*

 - c. *That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.*

 - d. *That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.*

 - e. *That the granting of the variation will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located.*

f. *That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood*

(Add additional sheets if necessary)

I hereby verify, under oath, that I am personally familiar with all of the facts stated herein and that such are true and correct.

Petitioner

Date

Owner, if different from petitioner

Date

I, _____, a Notary Public in and for the State of Illinois, hereby state that on the _____ day of _____, 20__, the above captioned petitioner appeared before me and, under oath, stated that all matters contained in this zoning petition are true.

Notary Public

My Commission Expires: _____

If owner is a corporation or trust, attach name of trust, trust number, trust date, and list of all officers and trustees.