



Kathi Urban, Director

## COUNTY OF PEORIA DEPARTMENT OF PLANNING & ZONING

PEORIA COUNTY COURTHOUSE • ROOM 301  
324 MAIN STREET • PEORIA ILLINOIS 61602-1313  
TELEPHONE (309) 672-6915 • FAX (309) 672-6075 • TDD: (800)526-0844  
WEBSITE: <http://www.peoriacounty.org>

Updated 2017

### VARIANCE APPLICATION PACKET

The applicant is responsible for completing the petition in its entirety, and submitting it to the Planning and Zoning Department (Rm. 301, Peoria County Courthouse) with the required fee. If the applicant is different from the property owner, an original owner's consent form must accompany the application at the time of filing. Office hours are 8:30 AM to 5:00 PM Monday through Friday. Staff is available to provide additional assistance if needed--- please call in advance to schedule an appointment.

#### PETITION

The enclosed petition allows Planning and Zoning staff and the Zoning Board of Appeals to evaluate the petitioner's request. The variance process cannot begin until the petition is complete and filed with the Planning and Zoning Department. Once completed, applications are filed in chronological order in accordance with the deadlines set forth in the ZBA calendar (generally, the first Friday of each month). ZBA hearings shall be limited to a maximum of 12 new cases plus any continuations or deliberations rescheduled from a previous hearing.

#### FEES

1. A **non-refundable** fee will be charged to the petitioner at the time of filing.
  - ❖ Variance: \$265.00
  - ❖ Administrative Variance: \$135.00
2. Fees associated with the publication of the legal notice in the *Peoria Journal Star* and area newspapers, if applicable, will be billed to you upon publication. Payment is required prior to the ZBA hearing.
  1. Chillicothe Township (5 & 10) - *The Chillicothe Bulletin*
  2. Millbrook, Princeville, Akron, Brimfield, Jubilee, Radnor, Elmwood, Rosefield, Kickapoo, Trivoli Townships – *The Weekly Post*
  3. Limestone Township - *The Limestone Independent News*
  4. Timber Township- *The Glasford Gazette*
3. If imposed, fees associated with recording conditions with the Recorder of Deeds.
4. If applicable, fees for all building permits, erosion control permits, and mechanical permits. Such fees are in addition to the special use filing fee and are not payable until such time that a permit is issued.
5. If applicable, fees for preparing, reviewing and recording a tract survey and/or subdivision. Such fees are in addition to the special use filing fee and are not payable until such time that a tract survey or subdivision is prepared.

#### CHECKLIST

A checklist is enclosed checklist for use by both the Planning and Zoning Department staff and petitioner. It provides a layout of all the information that must be included with the application before the department can accept the petition and process the variance request.



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### VARIANCE REGULATIONS AND REQUIREMENTS

**Variance** is defined as a zoning adjustment, which permits minor changes of district requirements. Variances are restrictive and the degree of variation is limited to a minimum change necessary to overcome the practical difficulty inherent in the property. Variances are dimensional in nature and not use oriented.

The Zoning Board of Appeals makes final determinations approving or denying variance applications. This decision will be based on the following standards for approval.

#### **Standards for Approval (Section 20-3.7.3):**

- That the plight of the owner is due to unique circumstances.
- That the variation, if granted, will not alter the essential character of the locality.
- That because of 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 these regulations were carried out.
- That the conditions upon which the petition for a variation are based are unique to the property for which the variance is sought and are not applicable, generally, to other property.
- That the granting of the variation will not be detrimental to the public health, safety, comfort, morals and welfare, or injurious to other property or improvements in the neighborhood on which the property is located, or otherwise be inconsistent with any officially adopted County plan or these regulations.
- That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- That the variance request is the minimum adjustment necessary for the reasonable use of the land.
- That aforesaid circumstances or conditions are such that the strict application of the provisions of this Section would deprive the applicant of reasonable use of his or her land. Mere loss in value shall not justify a variance.

#### **Limitations on Variance Granted (Section 20-3.7.4):**

Conditions. Issuance of a variance may be made subject to such conditions as are necessary to carry out the purposes of these regulations and to prevent or minimize adverse effects upon other property in the neighborhood, including, but not limited to, limitations on size and location, hours of operation, requirements for landscaping, lighting, and ingress and egress.

State of Illinois )  
)  
County of Peoria )  
Updated 2017

Case No. \_\_\_\_\_  
Time: \_\_\_\_\_

**PETITION FOR VARIANCE**

*Please complete this form in its entirety.*

**Applicant Name:** \_\_\_\_\_ **phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **cell/work phone:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Email:** \_\_\_\_\_

Circle if applicable:      Corporation      Business      Partnership      Joint Venture

**Owner's Name:** \_\_\_\_\_ **phone:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **cell/work phone:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Email:** \_\_\_\_\_

Circle if applicable:      Corporation      Business      Partnership      Joint Venture

**Parcel ID #:**  **Parcel Size:** \_\_\_\_\_

**E-911 Address of Parcel:** \_\_\_\_\_

**Variance Request from Section(s):** \_\_\_\_\_ **of Ordinance**

**Explanation of Request (include specific dimensional information):**


**Zoning Classification:** \_\_\_\_\_ **Township:** \_\_\_\_\_

**Fire Protection District:** \_\_\_\_\_ **School District:** \_\_\_\_\_

**Septic or Public Sewer\*:** \_\_\_\_\_ **Water Source\*:** \_\_\_\_\_

**Current Land Use:** \_\_\_\_\_ **Proposed Land Use:** \_\_\_\_\_

**Surrounding Zoning Classification:**

**North:** \_\_\_\_\_ **South:** \_\_\_\_\_ **East:** \_\_\_\_\_ **West:** \_\_\_\_\_

**The following information must be included with this form:**

- A correct legal description of the parcel. A copy may be obtained in the County Clerk's Office, Room 101 of the Peoria County Courthouse.
- If applicant is different from owner, provide owner's consent in writing with original signature.
- If the applicant is a corporation, and if a corporation, disclose the correct names and addresses of all officers and directors and of all stockholders or shareholders owning any interest in excess of twenty percent (20%) of all outstanding stock or shares of such corporation.
- When the applicant or his principal if other than the applicant, is a business or an entity doing business under an assumed name, include the name and residence of all true and actual owners of such business or entity.
- When the applicant or his principal if other than the applicant is a partnership, a joint venture, a syndicate, or an unincorporated voluntary association, include the names and addresses of all partners, or members of the partnership, joint venture, syndicate, or unincorporated voluntary association.
- When the applicant is acting for himself or in the capacity of an agent, an alter ego, or a representative of a principal, the applicant shall include the name and address of the true principal.

**Please provide a written explanation addressing each of the following questions.**

1. What unique circumstances exist which require a variance request?

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2. If granted, how will this request not alter the essential character of the locality?

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3. What particular conditions, specific to the property, exist that creates a hardship to the owner, as distinguished from a mere inconvenience? Consider the following:

- topography
- physical surroundings
- shape and size of parcel
- significant natural features

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State of Illinois )  
 )  
County of Peoria )  
Updated 2017

Case No. \_\_\_\_\_  
Time: \_\_\_\_\_

4. Are the conditions for the petition unique to the property and not applicable, generally, to other property?

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5. If granted, how will this request not be detrimental to the public health, safety, comfort, morals, and welfare or be injurious to other property or improvements in the neighborhood? Is the request consistent with any officially adopted County plan?

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6. If granted, how will this request not impair the following:

- supply of light and air to adjacent property
- traffic volume on adjacent public streets
- potential for fire and endangerment of public safety
- property values in the neighborhood

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7. Is your request the absolute minimum adjustment necessary? How so?

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8. How will the strict application of the Ordinance deprive you of reasonable use of the land? Mere loss in value does not justify a variance.

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State of Illinois )  
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County of Peoria )  
Updated 2017

Case No. \_\_\_\_\_  
Time: \_\_\_\_\_

**Please include directions to the property from the Peoria County Courthouse:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**I (we) hereby certify that all facts and statements made in this petition are true to the best of my knowledge, and that there are no restrictions, covenants or limitations which are filed of record in Peoria County, Illinois, which limit or effect the request that we are submitting.**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

For Office Use:

<b>Filed Date:</b>		
<b>Receipt #</b>	Z	
Site Plan Attached	YES	NO
Consents Attached	YES	NO
Owner Consent Attached	YES	NO

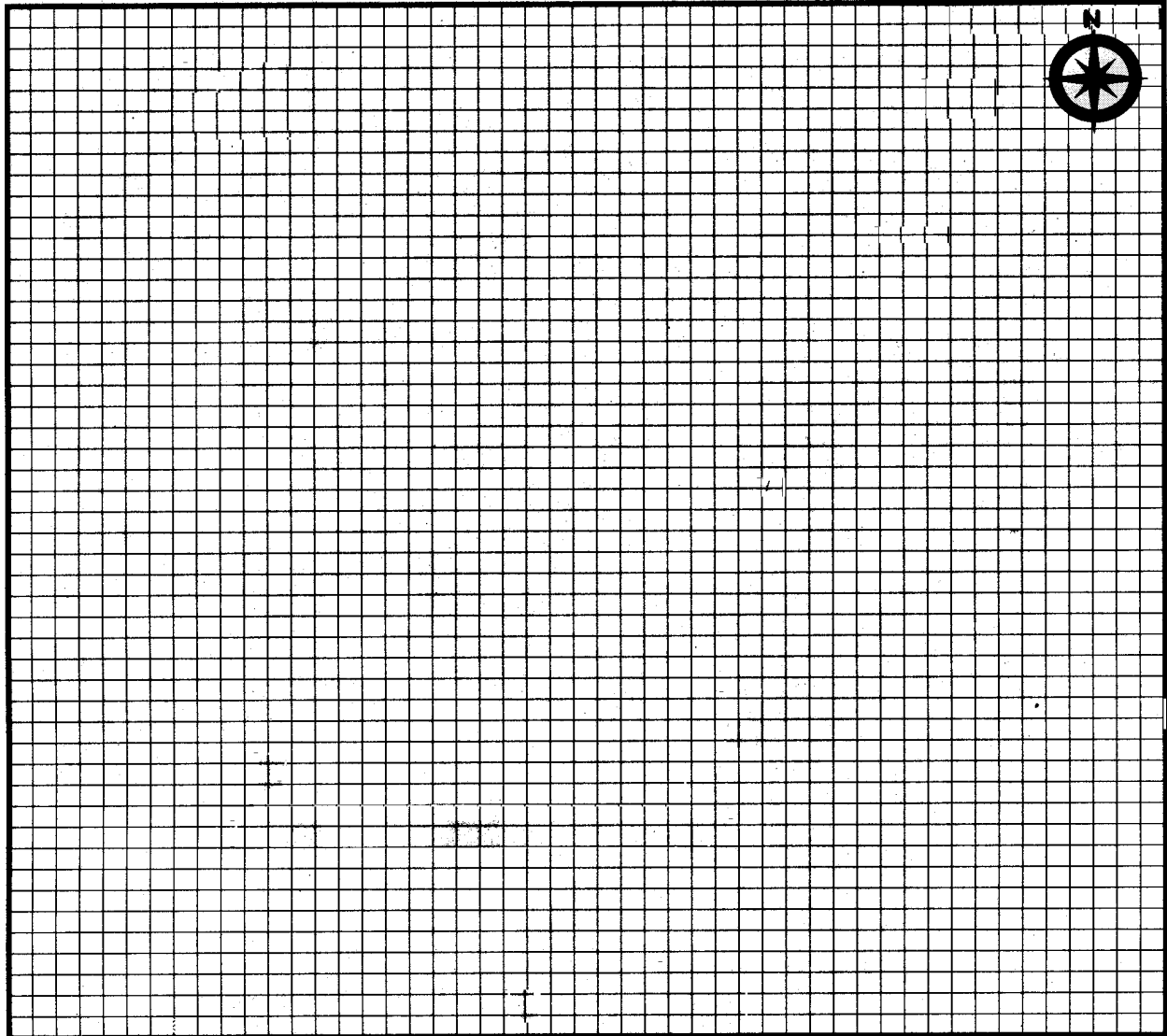
Is there is an enforcement action, building permit, or previous ZBA case pertinent to this case? If so, enter the number and date received.

\_\_\_\_\_ Date Rec'd: \_\_\_\_\_



# SITE PLAN

size of site: \_\_\_\_\_ acres or dimensions: \_\_\_\_\_ X \_\_\_\_\_




Complete the site plan using blue or black ink. Include the following information on the site plan above or attach a reproducible site plan with the same information:


- all existing and/or proposed buildings and structures and the dimensions of each
- topographical information such as roads, trees, ponds, hills, gullies, streams, etc...
- label all structures (e.g. house, shed, garage, etc...)
- label requests pertinent to this petition

## LEGEND

Property line =

Existing structure = 

Proposed structure = 

Fence = 

Tree =

State of Illinois )  
 )  
County of Peoria )  
Updated December 2016

Case No. \_\_\_\_\_  
Time: \_\_\_\_\_

## NOTICE

I, \_\_\_\_\_, do hereby acknowledge that obtaining the desired zoning request (Case \_\_\_\_\_), if granted, does NOT provide any assurance of the ability to receive a private sewage disposal system permit or private water well from the Peoria City/County Health Department. Additionally, in the event the zoning request is for an ancillary construction item on a parcel with an existing private sewage system or private water system, said improvement shall be located a sufficient distance from either/both systems to allow future maintenance.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

## ACKNOWLEDGEMENT OF NON-REIMBURSABLE COSTS

I, \_\_\_\_\_, hereby acknowledge and understand that all costs associated with my zoning request are non-refundable. Those costs may include, but are not limited to, filing fees, publication fees, costs associated with test well submittal requirements and soil analysis submittal requirements, survey costs and any costs incurred by the petitioner for additional information which the Zoning Administrator or the decision making body may deem necessary to review the proposed development.

I further acknowledge and understand that filing an application for a zoning request and payment of any corresponding fees does NOT guarantee that my request will be approved. Neither the Zoning Administrator nor the County Department of Planning and Zoning are decision-making bodies for zoning requests. Zoning requests are determined by the Zoning Board of Appeals and/or County Board as specified in Peoria County's Unified Development Ordinance, Chapter 20, Article 2, Sections 2.1 and 2.2.1. Denial, dismissal or approval of my zoning request by the decision-making body does not entitle me to any refund or reimbursement of costs paid, nor will I receive any refund or reimbursement should I choose to voluntarily withdraw my zoning request after filing.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

**Variance Petition Checklist**

This checklist is included with the packet to assist the applicant and staff determine completeness of the submittal. Please review the list of required items and double-check the application to ensure that all the necessary information has been included.

<b>Applicant</b>		<b>Planning Department</b>
	Applicant Name, Address, and Phone	
	Applicant Signature(s) <i>(if more than one applicant, both signatures required)</i>	
	Owner's Name, Address, and Phone	
	Owner's Written Consent- if different from applicant <i>(If more than one owner, all signatures required)</i>	
	Parcel ID #, Parcel Size, E-911 Address	
	Parent ID <i>(if applicable)</i>	
	Section(s) of Ordinance	
	Explanation of request	
	Current Zoning	
	Township	
	Fire Protection District, School District	
	Septic or Public Sewer	
	Land Use: Current & Proposed	
	Surrounding Zoning Classification	
	Written Explanations to Questions	
	Directions to Property from Courthouse	
	Site Plan	
	Health Department Disclosure	
	Acknowledgement of Non-reimbursable Costs	
	Legal Description of Parcel	

Staff Review: \_\_\_\_\_

Date: \_\_\_\_\_