

**VILLAGE OF LANSING
PLANNING & ZONING BOARD OF APPEALS PETITION FORM**

PLEASE CHECK ONE:

- 1) REZONING _____ 4) SUBDIVISION _____
2) VARIATION OF ZONING USE _____ 5) SPECIAL USE _____
3) VARIATION OF ORDINANCE _____ 6) OTHER _____

PRESENT ZONING: _____ REQUESTED ZONING: _____

PROPERTY DESCRIPTION

COMMON DESCRIPTION: (a street address or location) _____

P.I.N. NUMBER(S): _____

What change of zoning, variation of zoning, variation of ordinance and/or subdivision are you requesting?

NAME OF PETITIONER AND OWNER:

TITLEHOLDER'S NAME: _____

ADDRESS: _____

PETITIONER'S NAME: _____

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

PETITIONER IS: OWNER _____ CONTRACTOR _____ ARCHITECT _____ ATTORNEY _____

OTHER (indicate interest) _____

FOR VARIANCE ONLY: ATTACH EVIDENCE THAT ADJOINING PROPERTY CANNOT BE ACQUIRED
OR THAT NO VACANT PROPERTY IS AVAILABLE.

MEETING SCHEDULE: PLANNING AND ZONING BOARD OF APPEAL MEETINGS ARE SCHEDULED ON THE SECOND
AND FOURTH WEDNESDAYS OF EACH MONTH. APPLICATIONS MUST BE SUBMITTED THREE WEEKS PRIOR TO A
MEETING AND BE ACCOMPANIED BY CHECK MADE PAYABLE TO VILLAGE OF LANSING ACCORDING TO FEE
SCHEDULE ATTACHED PLUS THE COST OF LEGAL PUBLICATION.
ALL PROPERTIES MUST BE POSTED BY VILLAGE STAFF SEVEN DAYS PRIOR TO THE HEARING.

SIGNATURE OF PETITIONER _____ DATE _____

INCOMPLETE PACKAGES WILL NOT BE ACCEPTED FOR CONSIDERATION

FOR OFFICE USE ONLY

FEE PAID _____ DATE OF PUBLIC HEARING _____

**NOTE: ALL HEARINGS BEFORE THE PLANNING AND ZONING BOARD ARE RECORDED AND TAPES ARE HELD AS
PERMANENT RECORD OF THE PROCEEDINGS**

**VILLAGE OF LANSING
PLANNING & ZONING BOARD OF APPEALS PETITION FORM**

SUBMISSION PACKAGE MUST INCLUDE THE FOLLOWING:

- 1) ATTACHMENT WITH NARRATIVE PROVIDING BACKGROUND ON PETITIONER, PLANS FOR THE SITE, AND DETAILING REASONING FOR PETITION
- 2) LEGAL PROOF OF TITLE AND/OR DOCUMENTED PROOF OF OWNER CONSENT.
- 3) PLAT OF SURVEY WITH MOST CURRENT SITE CONDITIONS AND CLEARLY LEGIBLE LEGAL DESCRIPTION (PLAT OF SURVEY PREFERRED ON 11x17 PAPER SIZE)
- 4) ADDITIONAL PAGES SHOULD BE ATTACHED DESCRIBING PERTINENT INFORMATION ON PROPOSED REQUEST, APPROPRIATE DRAWINGS, SITE PLANS. ETC.

-ALL MATERIAL MUST BE SUBMITTED IN 25 COPIES.

HEARING FEE SCHEDULE

FOR PETITIONERS PRESENTLY WITHIN:

ZONING CLASSIFICATION

- 1) RESIDENTIAL DISTRICTS.....\$ 50.00
- 2) BUSINESS DISTRICTS..... 100.00
- 3) MANUFACTURING..... 150.00

IF PETITIONER IS PETITIONING TO CHANGE THE CLASSIFICATION OF THE UNDERLYING ZONING, THE CHARGE SHALL BE BASED ON THE HIGHER OF THE TWO CLASSIFICATIONS.

FOR SUBMISSION OF A PLAT OF SUBDIVISION

FEEES BASED ON NUMBER OF LOTS IN THE SUBDIVISION

- 1 TO 2\$ 50.00
- 3 TO 5 100.00
- 6 TO 10 200.00
- OVER 10 200.00 PLUS \$20 FOR EACH
ADDITIONAL LOT OVER 10

FOR OTHERS

- PLANNED RESIDENTIAL DEVELOPMENT\$ 500.00
- PLANNED UNIT DEVELOPMENT 500.00 PLUS \$50 PER HOUR OF
BOARD TIME

PUBLIC NOTICE FEES

ALL PETITIONERS WILL BE CHARGED FOR PUBLIC NOTICE.

- PROPERTY ZONED RESIDENTIAL\$ 75.00
- PROPERTY ZONED COMMERCIAL/INDUSTRIAL... 150.00

VILLAGE OF LANSING
NOTICE REQUIREMENTS

All petitioners to the Planning and Zoning Board of Appeals are required to allow posting of a sign on the property in a prominent location at least seven (7) consecutive days immediately prior to the Hearing. The sign shall be posted and provided by the Village and shall notify the Public of the scheduled hearing time, date and location in substantially the following form:

“NOTICE: A HEARING CONCERNING THE ZONING OR THE GRANTING OF A VARIANCE FOR THIS PROPERTY IS SCHEDULED ON _____, 20____, AT 6:30 PM AT 2710 170TH STREET, LANSING, ILLINOIS. A COPY OF SAID PETITION CAN BE OBTAINED FROM THE VILLAGE CLERK’S OFFICE.”

In the case of an improved lot, a prominent location shall be defined as the front yard (or side yard if it is a corner lot with an improved street along the front and side of the property) near a sidewalk or public right of way, and should be so located so that it can be seen by auto and pedestrian traffic in the most convenient manner. Wherever possible, the sign should be placed on the private property side of the property line.

If the property is vacant and/or unimproved, the sign shall be placed in such location near the closest right of way to allow for the maximum visibility to auto and pedestrian traffic.

If the property is developed commercially to the lot line, the sign shall be placed in the window or attached to the building as to maximize its visibility.

The application of a hearing from the Planning and Zoning Board of Appeals, signed by the petitioner, shall acknowledge receiving a copy of the requirements for posting the property at the time the petition is accepted by the Village. **VILLAGE STAFF WILL POST THE PROPERTY A WEEK PRIOR TO THE MEETING IN COMPLIANCE WITH REGULATIONS.**

The sign posting notice is in addition to any other Village Ordinances and Statutes and is not a substitute for any such required notice.

VILLAGE OF LANSING
NOTICE TO APPLICANTS

VARIANCE PROVISION

A variance is a zoning adjustment which permits minor changes of district requirements where individual properties are both harshly and uniquely burdened by the strict application of the law. The power to vary is restricted and the degree limited to the minimum change necessary to overcome the inequality inherent in the property. Use variations are specifically not allowed. "Variation" means the modification of the requirements of the underlying zoning district and does not include the substitution of the uses assigned to other districts.

1. A variation recognizes that the same district requirements do not affect all properties equally; it was invented to permit minor changes to allow hardship properties to enjoy equal opportunities with properties similarly zoned. The petitioner must prove that the property in question is affected by a special circumstance or unusual condition. These must result in uncommon hardship and unequal treatment under the strict application of the Zoning Ordinance. Where hardship conditions extend to other properties a variation cannot be granted. The remedy for a general hardship is a change of the map or the text of the Zoning Ordinance.
2. The petitioner must prove that the combination of the Zoning Ordinance and the uncommon conditions of the property prevents the petitioner from making reasonable use of the property as permitted by the underlying zoning district. **The burden of proof is upon the petitioner. The petitioner must present evidence to the Board of Appeals indicating that you are entitled to a variance based on the following reasons:**
 - a) because of the particular physical surroundings, shape or topography of the property, a particular hardship to the petitioner would result, as distinguished from a mere inconvenience, if the strict letter of regulation was applied and the request was denied;
 - b) conditions upon which the petition for variation is based are unique to the property for which the variation is sought and are most applicable, generally, to other properties within the same zoning district;
 - c) alleged difficulty or hardship is caused by the Zoning Ordinance and has not been created by any person presently having any interest in the property for which the variance is sought;
 - d) granting of the variation will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood in which the property is located;
 - e) proposed variation will not impair an adequate supply of light or air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger public safety, or substantially diminish or impair property values within the neighborhood.
3. Since Zoning regulates land and not people, the following conditions cannot be considered pertinent to the application for a variation:
 - a) Proof that a variation would increase the financial return from the property,
 - b) Personal hardship,
 - c) Self-imposed hardship - deliberate creation of conditions after the enactment of the Zoning Ordinance would be considered violation of the law.
4. No variation may be granted which would adversely affect surrounding property or the general neighborhood. All variations must comply with the intent and purpose of the Zoning Ordinance.